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Taxicab Commission

January 8, 2008

TAXICAB COMMISSION AGENDA

SF
T23
#1
1/8/08

January 8, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Controller's Report on PC&N Findings [INFORMATION]
3. Consent Calendar [ACTION]

SPECIAL ORDER 8:00 - 8:30 PM

4. Public Comment (Please limit public comment to items NOT on the agenda)
5. Consideration of a Clean Air Taxi Policy [INFORMATION and DISCUSSION]
6. Fact Finding Hearing and Disciplinary action including Possible Revocation of Permits: [ACTION]
   a. Grasshopper Alec Kaplan medallion number 9062, violation of Rules 5.A.3, 5.A.5, 5.F.2, 5.H.a, 5.H.2, 5.H.3, 5.H.4, 5.H.5, 5.H.10, 5.H.11, 5.H.14, 5.H.16, 5.H.17, 5.I.3, 5.I.4, and 5.K.2, 4.A.5; MPC Section1148.5, 1120, 1187.1, 1101 and 1123.
   b. Abdul Bashir Rahimi aka Sayed Bashir Rahimi medallion number 1135, violation of Municipal Police Code 1081(b).
7. Staff Report and Commissioner Announcements [INFORMATION]
8. Consideration of Findings for PC&N Determination to Add 69 Hybrid or Alternative-Fuel Restricted Taxis [ACTION]
9. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
10. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the December 11, 2007 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

*None at this time

C. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
1. Barry Korengold	6-521	Alt. Fuel
2. Drake Batterson	6-991	Ramp
3. Willie De Luca	7-039	Ramp
4. Sohail Sweis	7-057	Ramp
5. Saher Sweis	7-058	Ramp
6. David Geitheim	7-062	Ramp
7. Jay R. Chatfield	7-063	Ramp
8. Craig Wilson	7-064	Ramp

D. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:	Medallion Type:
1. Yuriy Gasparyan*	9080	SF Taxi	Ramp
2. Hoa M. Quach	9090	Luxor	Ramp
3. Lien Nguyen	9091	Luxor	Ramp
4. Rafael Machkovsky**	9084	Town	Ramp

* Continued from November 13, 2007
** Continued from December11, 2007 meeting due to a pending investigation

E. Consideration of the Taxi Commission to consider applicant(s) ineligible for a Ramp Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List#
1. Robert A. Slivoski	6-979
2. Suhaila Sweis	7-056
3. Elchan Aliev	7-066

*All above drivers declined the ramp offer.

F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Nasser Fraydouni	725	Bay Cab to B&W Checker
2. Fred Seronick	6, 7 and 8	Town Taxi to B&W Checker
3. Edward Teper	844	Alliance to Luxor Cab
4. William Case*	1103	American to Yellow Cab

*Continued from December 11, 2007 meeting

G. Consideration to reverse the Commission vote to allow Drake Batterson, List# 6-991, to be eligible for a ramp medallion permit. See memorandum.

H. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #
1. Raymond Delgado	6-475

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 22, 2008 hearing.

A. Consideration to reverse Commissions decision to grant a time waiver to Negash Tesfasilasie, list # 7-002, since the applicant submitted a letter to withdraw his Time Waiver Request. See memo.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:
1. Mohamed G. Malik	6-489	Luxor Cab	Alt. Fuel
2. Tommy Burton	6-502	Arrow Cab	Alt. Fuel
3. Jong H. Oh	6-677	Luxor Cab	Ramp
4. Alexander Labunsky	6-914	Alliance Cab	Ramp
5. Ali R. Alikhani	6-931	Gold Star Taxi	Ramp
6. Dong V. Tran	6-936	Luxor Cab	Ramp
7. Amr Mahmoud	6-987	DeSoto Cab	Ramp
8. Andrew Lee	6-994	Yellow Cab	Ramp
9. Leonid Tsatskin	7-049	Black & White Checker	Ramp
10. Sang N. Ta	7-055	Yellow Cab	Ramp

C. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List#
1. Raymond Rodriguez*	6-909
2. Negash Tesfasilasie*	7-002
3. Daniel R. Zacarias	7-052
4. Michael N. Dabit*	7-053
5. William L. Christensen	7-054
6. Simin N. Tehrani	7-059
7. Aryan Tehrani	7-060
8. Mohamed Lassoued	7-061
9. Fidelis S. Jimenez	7-065
10. Matthew S. Kelly	7-067

*Driver declined the Ramp offer.

D. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for

failure to respond and submit an application:

Applicant Name(s)	List #
1. Stephen D. Woodall	6-515
2. Dorian Hawkey	6-516
3. Eric W. Tang	6-519
4. Michael D. Lambert	6-520
5. Roman Krimer	6-525

E. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Louis Peppars	337	Metro Cab to DeSoto Cab
2. Ray R. Yaghmour	547	Yellow Cab to Delta Cab
3. Leon Veysman	877	United Cab to Luxor Cab
4. Mary McGuire	474	Metro to National/Veterans

F. Consideration of the Taxi Commission to grant a Dispatch Change to:

Color Scheme:	Change:
1. Delta Cab	Black & White Checker to Town Taxi

G. Commission Request to Calendar

Commissioner/ Request	Date of Request	Date of Hearing
President Gillespie		
Regular Updates from 311	July 24, 2007	
Yellow Cab business listings in phone book	July 24, 2007	
Administrative Tickets issued by Detail and Staff	Sept 11, 2007	
Review of dispatch changes of medallion holder	Oct 23, 2007	
Vice President Breslin		
Application process for taxi stands with DPT.	April 25, 2006	Planned Hearing Date
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Oka		
Review of Taxi School curriculum regarding sensitivity of disabled community.	August 14, 2007	Planned Hearing Date
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	
What images are appropriate inside and outside of taxis	May 22, 2007	
Commissioner Heinicke		
Resolution to State Legislatures regarding urging PUC licensing standards for limousines.	August 28, 2007	Planned Hearing
Commissioner Oneto		

Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	Planned Hearing Date
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	Rules Subcommittee Item
Gas and Gate meeting	June 12, 2007	
Commissioner Benjamin		
Time Waivers	June 12, 2007	Planned Hearing

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions,

boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

SFMTA | Municipal Transportation Agency

MEETING MINUTES

Commission Chambers

January 8, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

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Present: Gillespie, Breslin, Benjamin, Oka, Paek, Oneto

Absent: 0

President Gillespie called the meeting to order at 6:33 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Deputy Director Jordanna Thigpen, Executive Secretary Tamara Odisho – Taxi Commission, Lieutenant Schlotz, Sergeant Ron Reynolds, City Attorney Tom Owen

Heidi Machen, Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

1. Call to Order/ Roll Call

2. Controller's Report on PC&N Findings [INFORMATION]

· **Ted Egan, Controller's Office:** Overview of report.

· **Pres Gillespie:** The only thing these cost increases affect is the new 69 medallions.

· **Ted Egan:** Scope of the report was narrow and focused only on the issuance of the 69 medallions. Controller's office issues a report every two years which is based on quality of life and those figures are not included in this report.

· **Pres Gillespie:** Meter technology may not be able to take a different fee in mileage and flag drop.

Public Comment:

- **Tom Stanghellini:** Very upset over the 30 cent recommended increase in the gate fee.

- **Hansu Kim:** Controller's office has limited data to work with and their recommendation is poor.
- **Robert Cezano:** There are other propositions floating around to increase the gate and all these ideas should be merged into one.
- **Barry Taranto:** Hybrid drivers should pay more in gas and gate.
- **Charles Rathbone:** The meter cannot take the different fees.
- **John Lazar:** Hybrid vehicles cost over $30k and this increase would not cover anything.
- **Mark Gruberg:** Robert Cezano made a good point about all of the different gate fee increases; they should be looked at together.
- **Marty Smith:** Hybrids are expensive and need a fee to cover the purchase.

3. Consent Calendar [ACTION]

Public Comment: None

· **Com Oka:** Motion to approve A- Minutes, C 2-Drake Batterson, C3- Willie DeLuca, C4-Sohail Sweis, C5-Saher Sweis, C6- David Geitheim, C7- Jay Chatfield, C8- Craig Wilson, E1-Robert Slivoski, E2- Suhaila Sweis, E3- Elchan Aliev, F1-Nasser Fraydouni, F2- Fred Seronick, G - Drake Batterson reverse vote and to make him eligible for ramp medallion permit.

· **Com Breslin:** Second motion.

· **AYES: Gillespie, Breslin, Benjamin Oka, Pack, Oneto NO: 0**
ABSENT: 0 RECUSE: 0

· **Com Oka:** Wise to take recommendation of PCC to grant medallion conditionally on a ¼ basis for 12 months.

· **Com Oneto:** Motion to grant medallion with special conditions to D-1 Yuriy Gasparyan

· **Com Pack**: Second motion.

· **AYES: Gillespie, Breslin, Benjamin, Oka, Pack, Oneto NO: 0**
ABSENT: 0 RECUSE: 0

· **Com Onteo**: Motion to grant D-2 Hoa Quach ramp medallion pending the DOJ background check.

· **Com Paek**: Second motion.

· **AYES: Gillespie, Breslin, Oka, Paek, Oneto** **NO: 0**
ABSENT: 0 **RECUSE: Benjamin**

· **Pres Gillespie:** Continue item D-3 Lien Nguyen to allow him to retake test.

Public Comment:

· **Charles Rathbone:** Want to retain his services good driver but not a good test taker.

· **Bashir Rahimi**: There are many hard working people who do not understand or speak English well.

· **Dir Machen:** Overview of item D-4 Ralph Machkovsky

· **Lt. Schlotz**: Overview Mr. Machkovsky's background and would like time to review the waybills for this item.

· **Com Breslin**: Most of these signatures for this petition are dated today and is highly unusual. We are holding up two ramp medallions that will not be on the street.

· **Com Paek:** Should continue this to be able to look at this packet.

· **Com Oka:** Unless there is proof of criminal activity I do not see why we are holding the medallion up.

Public Comment:

· **John Willey:** Ask the Commission to look at the list of drivers in opposition since it may be related to litigation and not to the qualifications of this applicant.

· **Ed Shuman:** Has known Ralph for many years and has seen him drive.

· **Gratch:** Mr. Machkovsky has driven a cab but he is not currently upholding the continuous driving requirement.

· **Barry Taranto:** Commission should allow Lieutenant to continue her investigation.

- **Alex:** Works on schedules for Town and never saw Ralph on the schedule and saw him writing up waybills in his office.

- **Jacob Mietzel** : Knows Ralph for many years and believes he deserves this medallion.

- **Marty Smith:** This is a cat fight between Black and White Checker and Town Taxi. A lot of this stuff didn't happen.

- **Chuffa:** Really strange case with so many people involved.

- **Fareed:** Has not recently seen Ralph drive and cannot believe he has picked up so many wheel chairs.

- **Thomas George Williams:** Allow Lt. Schlotz to review case. Unethical if Com Oka does not recuse himself from the vote.

- **Com Benjamin:** Can conditionally approve this medallion. If there is wrong doing then we will revoke his medallion.

- **Com Breslin:** Also in favor of approving this tonight. Com Oka does not need to recuse himself.

- **PresGillespie:** The only reason to recuse one would be for some personal connection or financial reason and neither of these apply.

- **Com Oka:** There is no reason to hold up this medallion.

- **Com Oneto:** Anytime the police department has requested us to investigate and to treat this differently I would not think that would be fair for those people that were continued in the past. They should have the time to review the waybills.

- **Dir Machen:** The staff does not review the waybills with a fine tooth comb. This seemed to have slipped through the cracks and Lt Schlotz did not review the waybills.

- **Com Paek:** We are in favor of taxi drivers but with the Lt. request for 2 weeks may be an option even though it has already been continued.

- **Lt Schlotz**: If approved, she will not audit the waybills. If it is issued conditionally then follow through may not happen since staff becomes overwhelmed.

- **Pres Gillespie**: Applicant long time member of the industry and I believe he has a real commitment to the industry. Motion to approve medallion with conditions of ¼ review for one year.

- **AYES: Gillespie, Breslin, Benjamin, Oka** **NO: Oneto, Paek**
ABSENT: 0 **RECUSE: 0**

- **Com Oneto:** Motion to grant color scheme change to F-3 Edward Teper.

- **Com Paek:** Second motion

- **AYES: Gillespie, Breslin, Oka, Paek, Oneto NO: 0**
ABSENT: 0 RECUSE: Benjamin

- **Com Oneto**: Motion to grant color scheme change to F-4 William Case

- **Com Paek:** Second motion.

- **AYES: Breslin, Benjamin, Oka, Paek, Oneto NO: 0**
ABSENT: 0 RECUSE: Gillespie

- **Dir Machen**: Overview of Item H-1 Raymond Delgado

- **Philip Ward, Attorney for Raymond Delgado**: Rebuttal of the case.

- **Com Oka:** If this medallion is granted no one would be hurt.

- **Philip Ward:** Correct.

- **Pres Gillespie:** Trying to find a way legally that we can do this. Healthcare argument is not compelling since so many drivers do not have it. For one year drivers on the list were not notified of the passing of Daly/Ma. Would like to continue this item to think it through.

- **Philip Ward:** It would be under the discretion of Commission to rule under Daly/Ma for this case.

- **Com Benjamin:** Allowing him to get a medallion before others is unsettling, but allowing him to stay on the list and require him to drive through 2009.

- **Com Breslin:** Can we grant a time waiver for him in 2007 and keep him to the standard of 2007?

Public Comment:

- **Carl Macmurdo:** There are a few people who fall under this and can be resolved to all the applicants and would avoid Board of Appeals cases.

- **Mark Gruberg:** In 2004 there was already a one year driving requirement. Daly/Ma pushed the requirement back to 2 years. Back in those days there were indefinite time waivers .

- **Jim Gillespie:** In 2004, drivers were required to have 156 shifts and did so before midnight and then after to get in requirements within 6 months.

- **Tone Lee:** Laws shouldn't be set if you are going to change them.

- **Hansu Kim:** There's a standard for driving and retroactively apply for an exemption of this applicant is not a fair way to asses Daly/ Ma.

- **Marty Smith:** People who were on the list in 2004 signed up knew they only had to drive for one year.

- **Emil Lawrence:** Sometimes does not get mail, no confirmation on whether gets the mail or not. Doesn't recall getting the letter in the mail.

- **Barry Taranto:** Daly/Ma is the law and should be upheld. He could have driven part-time. Applicants have a responsibility.

- **Mary McGuire:** Intention of Daly/MA were not to exclude people like Delgado, was original ramp program starter.

- **Thomas George Williams:** Missed Com Heinicke, there is a law that needs to be observed. Commission should follow their rules.

- **Pres Gillespie:** Would like to continue this item.

4. Public Comment (Please limit public comment to items NOT on the agenda)

- **Robert Cezano:** Congratulates Bruce Oka on his MTA nomination. Commission should resolve the Ball Park issue before going to the MTA. Drivers stone walled at the ball park.

- **Name:** Showed a video

- **Tom Stanghellini:** Taxi was involved in a robbery and was impounded without allowing the driver to take the medallion and it took for Detail to intervene for Luxor to get the medallion back. Commission to speak with the robbery unit to release medallions in the future.

- **Charles Rathbone:** Ramp cabs are prone to break down and drivers are unable to get ramp cabs for their shifts. In cases like this drivers should be allowed to notate on their waybills of a mechanical break down without it accounting against them.

- **Chuffa:** By the end of the year, when you inspect our waybills, don't tell us we haven't paid. Taxi Detail should be advised to be different. There is inconsistency because they talk about criminal investigations that are contradictory.

- **Barry Korengold**: Agendize issue of prorating hours for a medallion applicant, for applicants who are being heard at the beginning of the year.

- **Emil Lawrence:** Isn't there a way to verify wheelchair pick ups? Received independent driver statement from Controller's office and is illegal with state ruling

· **Jim Gillespie:** Passenger called with harassment complaint of yellow cab driver, but turned out to be an illegal Yellow cab.

· **Tariq Mehmood:** Showed video.

5. Consideration of a Clean Air Taxi Policy [INFORMATION and DISCUSSION]

*Continue item but will take public comment

· **Todd**: Direct DOE to evaluate each vehicle-wheel to wheel analysis. Allow an average of emission vehicles for the fleet to be able to meet the green goal.

· **Robert Cezano**: Size of vehicles should be considered and should not make any choices without considering the aging community. Running boards are not available on new hybrids.

· **Pete Campbell:** Has information from a third party and findings that fall under the Mayor's requirement.

· **Thomas George Williams:** Grams/ mile make more sense and should figure that out for the emissions. Companies must maintain the car and engine.

· **Pres Gillespie:** Grams/ mile goal 312 but if there is a fleet average as opposed to a vehicle emission more vehicles may be able to be apart of the fleet.

· **Hansu Kim:** We can meet these goals but should allow flexibility in vehicles purchased. There is still no definition of what a clean vehicle is and there should be for companies to know what type of vehicles they should purchase.

· **Mark Gruberg:** Fleet wide average will cause a problem since it allows other vehicles to pollute unless they choose a cap and trade system.

6. Fact Finding Hearing and Disciplinary action including Possible Revocation of Permits: [ACTION]

a. Grasshopper Alec Kaplan medallion number 9062, violation of Rules 5.A.3, 5.A.5, 5.F.2, 5.H.a, 5.H.2, 5.H.3, 5.H.4, 5.H.5, 5.H.10, 5.H.11, 5.H.14, 5.H.16, 5.H.17, 5.I.3, 5.I.4, and 5.K.2, 4.A.5; MPC Section1148.5, 1120, 1187.1, 1101 and 1123.

· **Pres Gillespie:** Is uncomfortable with going forward with this case without Mr. Kaplan's attorney.

· **Dir Machen:** Overview item 6a- Grasshopper Alec Kaplan.

· **Deputy Director Thigpen:** Recounts Grasshopper case.

- **Sgt. Reynolds:** Overview of Grasshopper.

Public Comments:

- **Mark Gruberg:** Should allow Mr. Kapplan's attorney to respond to this.

- **Thomas George Williams:** Alec was a good driver until he had his problems. Revoking this without his attorney present is not fair.

- **Robert Cezano:** He should be able to apply for ADA.

- **Emil Lawrence:** Why isn't there a doctor present to speak on his behalf? How can a decision be made while he is in jail and has no representation.

- **Com Oneto:** We had to do this tonight, this medallion has been off the street for a long time. At this time he is incapable of managing a business. I am in favor of revoking the color scheme, medallion and A card. If he gets his life back in order then he should be allowed to get an A card.

- **Com Benjamin:** Seconds motion.

- **Com Breslin:** There is no ADA issue here since he is a public threat. Should be required to reapply for an A-card.

- **Pres Gillespie:** Appreciates outreach done by the community to Alec, but has issue when there's a public threat.

- **AYES: Gillespie, Breslin, Benjamin, Oka, Paek, Oneto NO: 0**
ABSENT: 0 RECUSE: 0

b. Abdul Bashir Rahimi aka Sayed Bashir Rahimi medallion number 1135, violation of Municipal Police Code 1081(b).

- **Deputy Director Thigpen:** Overview of Rahimi case and informs commission that an amended complaint will be issued.

- **Pres Gillespie:** Do you want us to make a decision on these findings or would you like us to continue this to rehear this?

- **Deputy Dir Thigpen:** I cannot make a recommendation based on case law.

- **Abdul Bashir Rahimi:** Overview of his case.

- **Com Benjamin:** What are some of the serious offenses he has? Did Mr. Epstein agree with the new evidence?

- **Deputy Director Thigpen:** Lying.
- **Pres Gillespie:** He was previously admonished for 2002 and 2004.
- **Abdul Bashir Rahimi:** It's on the record that I was admonished in 2001 and 2003.

Public Comment:

- **Name:** He is a bad manager and this is proof, but he drove.
- **Robert Cezano:** If you go to the airport, you saw Mr. Rahimi. This Commission does not have a proper standard of waybills.
- **Marty Smith:** Has seen Rahimi driving and hopes the Commission adopts the findings but should keep his medallion.
- **Mary McGuire:** Has seen him driving on the street.
- **Com Benjamin:** Do we have to approve all the findings?
- **City Attorney:** Any or all findings.
- **Name:** Used to drive for Rahimi and drove with him when he owned 49ers cab.
- **Mark Gruberg:** Hearing Officer says the Commission failed to prove Rahimi did not meet the driving requirement.
- **Name:** Knows Rahimi and is a cab driver.
- **Name:** Known Rahimi since 1991 and has been driving a cab since then.
- **Thomas George Williams:** Always sees him driving, and Commission failed to prove him guilty.
- **Pres Gillespie:** Willing to support all of the Hearing Officers findings.
- **Com Breslin:** Third step is extreme and does not take things step by step.
- **Com Oneto: Motion to accept recommendations of Mr. Epstein**
- **Com Paek: Second motion**
- **AYES: Gillespie, Breslin, Benjamin, Oka, Paek, Oneto NO: 0**

ABSENT: 0 **RECUSE: 0**

7. Staff Report and Commissioner Announcements [INFORMATION]

· **Dir Machen:** Overview

· **Sgt Reynolds:** DOJ reports and delay of background checks due to a new system. Illegal limo update. Successful run at 49er games, hope to be invited to preplanning to be able to get in cabs at the end of the game.

Commissioner Announcements:

· **Com Benjamin:** 311 sticker has 415 capability for callers outside SF area code.

· **Pres Gillespie:** Congratulates Com Heinicke and Com Oka for being nominated to the MTA.

8. Consideration of Findings for PC&N Determination to Add 69 Hybrid or Alternative-Fuel Restricted Taxis [ACTION]

Public Comment:

· **Mike Spain:** Commission only issued 120 medallions last year but 69 were issued because the Mayor recommended it.

· **Thomas George Williams:** UTW will appeal the issuance of 69 more medallions since there is no reason for the issuance.

· **Tariq Mehmood:** There's a lot of demand for peak-time medallions.

· **Com Oka:** Motion to adopt 69 medallions

· **Pres Gillespie:** 2nd Motion

· **AYES: Gillespie, Breslin, Benjamin, Oka, Paek NO: Oneto**
ABSENT: 0 RECUSE: 0

9. Public Comment

· **Mary McGuire:** Clarification needed on what the wrap fund is used for.

· **Mark Gruberg:** Comments on video shown earlier in the evening.

· **Mike Spain:** Smaller clean air vehicles not as strong and reliable as gas vehicles and let Board know this.

· **Carl Macmurdo:** Congratulates Com Oka and Com Heinicke for MTA board. Add prorated time to the next agenda.

· **Thomas George Williams:** Alioto-Pier legislation hinders Commissions' work and creates uneven playing field. Jeopardizes any future gate increase.

10. Adjournment – 11:35pm

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

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JAIME SLAUGHTER, COMMISSIONER, ext

HEIDI MACHEN, EXECUTIVE DIRECTOR

SF
T23
#1
1/22/08

TAXICAB COMMISSION AGENDA

January 22, 2008 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Consent Calendar [ACTION]
3. Staff Report and Commissioner Announcements [INFORMATION]

SPECIAL ORDER 8:00 – 8:30 PM

4. Public Comment (Please limit public comment to items NOT on the agenda)
5. Fact Finding Hearing and Disciplinary action including Possible Upholding of Summary Suspension and Possible Revocation of Permits: [ACTION]
   - Peter Witt medallion number 310, violation of Rules 4.A.1, 4.A.2, 6.A.1, 6.A.2, 6.D.1, 6.D2, 6.D.3, CA Penal Code § 148(a)(1), § 242, § 243(c)(2)
6. Consideration of a Clean Air Taxi Policy [ACTION]
7. Adoption of Findings for Grasshopper Alec Kaplan Medallion Number 9062 [ACTION]
8. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
9. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the January 8, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

MD Farhad Ahmed
Ahmed M. Said
Andy Nguyen
Naunihal Singh
Thomas W. Ramos

C. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #
1. Raymond Delgado	6-475

* Continued from the last meeting

D Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:	Medallion Type:
1. Mohamed G. Malik	1321	Luxor Cab	Alt. Fuel
2. Jong H. Oh	9092	Luxor Cab	Ramp
3. Dong V. Tran	9095	Luxor Cab	Ramp
4. Andrew Lee	9097	Yellow Cab	Ramp
5. Sang N. Ta	9099	Yellow Cab	Ramp
6. Leonid Tsatskin	9098	Black & White Checker	Ramp
7. Amr Mahmoud	9096	DeSoto Cab	Ramp
8. Ali R. Alikhani	9094	Gold Star Taxi	Ramp
9. Alexander Labunsky	9093	Alliance Cab	Ramp
10. Tommy Burton	1322	Arrow Cab	Alt. Fuel

E. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List#
1. Raymond Rodriguez*	6-909
2. Negash Tesfasilasie*	7-002
3. Daniel R. Zacarias	7-052
4. Michael N. Dabit*	7-053
5. William L. Christensen	7-054
6. Simin N. Tehrani	7-059
7. Aryan Tehrani	7-060
8. Mohamed Lassoued	7-061
9. Fidelis S. Jimenez	7-065
10. Matthew S. Kelly	7-067

*Driver declined the Ramp offer.

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F. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #
1. Stephen D. Woodall	6-515
2. Dorian Hawkey	6-516
3. Eric W. Tang	6-519
4. Michael D. Lambert	6-520
5. Roman Krimer	6-525

G. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Ray R. Yaghmour	547	Yellow Cab to Delta Cab
2. Leon Veysman	877	United Cab to Luxor Cab
3. Mary McGuire	474	Metro to National/Veterans

H. Consideration of the Taxi Commission to grant a Dispatch Change to:

Color Scheme:	Change:
1. Delta Cab	Black & White Checker to Town Taxi

I. Consideration to reverse Commissions decision to grant a time waiver to Negash Tesfasilasie, list # 7-002, since the applicant submitted a letter to withdraw his Time Waiver Request. See memo.

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NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 12, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:
1. Ernesto G. Diala	6-517	Arrow Cab	Alt. Fuel
2. Barry Korengold	6-521	Yellow Cab Co-Op	Alt. Fuel
3. Nollie P. Griffin	6-523	Big Dog City Cab	Alt. Fuel
4. Jessie Reyes	6-524	Royal Cab	Alt. Fuel
5. Mohammed Z. Khan	6-878	DeSoto Cab	Ramp
6. Demian Volynsky	6-890	Black & White Checker Cab	Ramp
7. Lien Nguyen	6-933	Yellow Cab	Ramp
8. Maria Yuhas	6-993	Arrow Cab	Ramp

B. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #
1. Marco A. Mora	6-514

C. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
1. Robert A. Conrad	7-028	Ramp
2. John Jay Seible	6-535	Alt. Fuel

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Sayed Bashir Rahimi	1135	Bay Cab to DeSoto Cab
2. Ahmad Ali Mozaffari	1272	Regents Cab to Royal Cab
3. Mikhail Oykherman	1250	Bay Cab to B&W Checker
4. Martin Andrew Jakob	479	Bay Cab to B&W Checker

E. Commission Request to Calendar

Commissioner/ Request	Date of Request	Date of Hearing
President Gillespie		
Regular Updates from 311	July 24, 2007	
Yellow Cab business listings in phone book	July 24, 2007	
Administrative Tickets issued by Detail and Staff	Sept 11, 2007	
Review of dispatch changes of medallion holder	Oct 23, 2007	
Vice President Breslin		
Application process for taxi stands with DPT.	April 25, 2006	Planned Hearing Date
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Oka		
Review of Taxi School curriculum regarding sensitivity of disabled community.	August 14, 2007	Planned Hearing Date
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	
What images are appropriate inside and outside of taxis	May 22, 2007	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	Planned Hearing Date

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Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	Rules Subcommittee Item
Gas and Gate meeting	June 12, 2007	
Commissioner Benjamin		
Time Waivers	June 12, 2007	Planned Hearing

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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SFMTA | Municipal Transportation Agency

MEETING MINUTES

Commission Chambers

January 22, 2008 at 6:30 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place

Room 400

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Present: Gillespie, Breslin, Benjamin, Oka, Paek, Slaughter, Oneto

Absent: 0

President Gillespie called the meeting to order at 6:35 P.M.

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Deputy Director Jordanna Thigpen, Executive Secretary Tamara Odisho – Taxi Commission, Sergeant Ron Reynolds, City Attorney Tom Owen

Heidi Machen, Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

1. Call to Order/Roll Call

2. Consent Calendar [ACTION]

Public Comment:

- **Peter Witt**: Submitted written statements and were not included in the minutes.

- **Com Breslin:** Continued item C- Raymond Delgado because working with Supervisors on possibly changing the laws.

- **Pres Gillespie:** Anyone who is receiving a Ramp medallion please get up so the riding public can see who you are.

- **Com Oneto:** Motion to approve A- Minutes January 8, 2008, B- Public Passenger Vehicle, approving medallions for D6- Leonid Tsatskin, D7- Amr Mahmoud, D9- Alexander Labunsky, D10 Tommy Burton, E-Ineligible for Ramp, F- Remove Applicants from Taxicab/ Ramp waiting

list, G3- approve Mary McGuire color scheme change, H- grant dispatch change to Delta Cab to B&W Checker to Town Taxi, I-Reverse approval of Time Waiver to Negash Tesfasilasie.

- **Com Oka:** Second motion.

AYES: Gillespie, Breslin, Benjamin, Oka, Paek, Slaughter, Oneto No: 0
Absent: 0 Recuse: 0

- **Com Oka:** Motion to grant medallion D8- Ali Alikhani with retraining recommended by PCC.

- **Com Oneto:** Second motion.

AYES: Gillespie, Breslin, Benjamin, Oka, Paek, Slaughter, Oneto No: 0
Absent: 0 Recuse: 0

- **Com Breslin:** Motion to grant medallion D2-Jong Oh with retraining recommend by PCC.

- **Com Oneto:** Second motion.

AYES: Gillespie, Breslin, Oka, Pack, Slaughter, Oneto No: 0
Absent: 0 Recuse: Benjamin

- **Com Oneto:** Motion to grant medallions D1- Mohamed Malik and D3- Dong Tran.

- **Com Breslin:** Second motion.

AYES: Gillespie, Breslin, Oka, Paek, Slaughter, Oneto No: 0
Absent: 0 Recuse: Benjamin

- **Com Oneto:** Motion to grant medallion to D4- Andrew Lee and D5- Sang Ta.

- **Com Breslin:** Second motion.

AYES: Breslin, Benjamin, Oka, Paek, Slaughter, Oneto **No: 0**
Absent: 0 **Recuse: Gillespie**

- **Com Slaughter:** Motion to grant CS to G1-Ray Yaghmour.
- **Com Oka:** Second motion.

AYES: Breslin, Benjamin, Oka, Paek, Slaughter, Oneto **No: 0**
Absent: 0 **Recuse: Gillespie**

- **Com Oka:** Motion to approve G2- Leon Veysman.
- **Com Breslin:** Second motion.

AYES: Gillespie, Breslin, Oka, Paek, Slaughter, Oneto **No: 0**
Absent: 0 **Recuse: Benjamin**

3. Staff Report and Commissioner Announcements [INFORMATION]

- **Dir Machen**: Overview of staff report.
- **Marc Soto, Veolia Transport:** Comments on the ramp taxi surveys.
- **Com Paek:** Would like to see future surveys to cover the Bayview and Western Addition in the future.
- **Sgt Reynolds:** Presenting 4th quarter report and update.
- **Com Breslin:** Have been holding meetings with hotels to ensure the illegal limo problem gets resolved.
- **Com Slaughter:** What can you do to address the issue of ramp service?
- **Sgt Reynolds:** Work with his team to deal with enforcing the issue.

Commissioner Announcements:

Com Breslin: Commending Com Oka and Heinicke on their appointment to the MTA board.

Public Comment:

- **Ms. Harris**: Has filed complaints with SFPD-Detail and has not had any follow-up.
- **Barry Taranto:** Welcome to Com Slaughter. Why wasn't Town included in the ramp survey?
- **Dir Machen:** Bay cab does not have its own dispatch. We worked with what we had on record and where the vehicles were.
- **Marc Soto:** Thanks all the ramp, taxi and dispatchers for serving the public. Thanks the Commission for all their work.
- **Peter Witt:** Response time goals have been set and they should be looked at every year. Ramp drivers are trying to make a living and their should be an incentive for them to pick up.
- **Joe Mirable:** Best response for dispatching community is centralized dispatch.
- **Anton:** B&W appreciates the help from other ramp drivers that were with their dispatch company.
- **Barry Korengold:** Requesting pro-rating be heard as an item on the next agenda when his medallion comes before the Commission.
- **Pres Gillespie:** This is going before the Supervisors cannot make changes to the policy.
- **Com Breslin:** We are trying to find out if we as the Commission have the authority to make changes.
- **Tariq Mehmood:** Regents has failed to provide workers' compensation to drivers and now this problem, they should be shut down.
- **JoanAnn Radu-Sinaiko:** Ramps should have one dispatch.

Special Order 8:00 – 8:30 PM

4. Public Comment (Please limit public comment to items NOT on the agenda)

- **Emil Lawrence:** Handouts and reviews EDD cases.

- **Barry Taranto:** Weekend business not good. Not sure how 69 new taxis are going to affect the industry. Went to the Police Commission on behalf of Peter Witt and complained about officers at hotels.

- **Name:** Congratulates cousin for receiving medallion.

- **Mary McGuire:** Wants to know about taxi wrap fund issue and would like a hearing on this to explain to the public on this issue. Will file Sunshine on this issue if the Commission does not respond.

- **Pres Gillespie:** This will be heard and should be done with a memo.

- **Barry Korengold:** Commission and city attorney to review the legislation for the driving requirement. Language doesn't need evaluating but interpretation. Glad to see limo enforcement.

- **Carl Macmurdo:** Welcomes Com Slaughter. Delgado and Korngold case are different issues.

- **Peter Witt:** Would like to see a larger medallion number inside the taxi. Would like to see the illegal limo issue addressed.

5. Fact Finding Hearing and Disciplinary action including Possible Upholding of Summary Suspension and Possible Revocation of Permits: [ACTION]

- **Peter Witt medallion number 310, violation of Rules 4.A.1, 4.A.2, 6.A.1, 6.A.2, 6.D.1, 6.D2, 6.D.3, CA Penal Code § 148(a)(1), § 242, § 243(c)(2)**

- **Peter Witt:** Would like to continue this hearing tonight since his attorney is not present.

- **Jordanna Thigpen, Deputy Director:** Made all efforts to serve Mr. Witt and have emailed him and tried calling him as well.

- **Pres Gillespie:** Would like legal representation for Mr. Witt but understands that a police officer is also here.

- **Peter Witt:** Cannot afford a lawyer if his medallion is suspended. But understands if his medallion is suspended.

- **Com Paek:** Wishes to continue this item so Mr. Witt has representation.

- **Pres Gillespie:** Continue this item until first meeting in February and if the officer is not available then the use of his declaration be used in his absence.

- **Dir Machen:** To be consistent and fair it would be necessary to suspend all of his licenses.

- **Com Benjamin:** Should not suspend his medallion.
- **City Attorney:** This would be up to the executive director to summarily suspend the medallion.
- **Com Slaughter:** Agrees with Com Benjamin.
- **Sgt Reynolds:** Has suspended his A card.

Public Comment:

- **Mark Gruberg:** Should be allowed to keep his medallion. There's no public safety issue.
- **Emil Lawrence:** Taking his income away hurting driver and based on allegations they have not been proven.
- **Barry Taranto:** All drivers are victims. Peter was dealing with an officer who was not doing his job and was allowing hotels to use illegal limos.
- **Thomas George Williams:** The police officer is being paid to allow these illegal limos and Peter stood up for all drivers. This officer is framing Peter.
- **Carl Macmurdo:** Should allow drivers on medallion to drive. Sounds like this case will be reduced to a anger management. He is a long time safe driver.
- **Marty:** Has known Peter for over 15 years. Is a perfect cab driver.
- **Mary McGuire:** Not suspending the medallion is the right thing. Allowing the director to stick to her decision is not clear. Until this is resolved medallion should stay on the street.
- **Jim Gillespie:** There should be due process. Medallion should stay at the company. The drivers should be allowed to continue using the medallion. Three drivers a day will be sent home.

6. Consideration of a Clean Air Taxi Policy [ACTION]

- **Dir Machen:** Read some amendments to the resolution.
- **Pres Gillespie:** Proposes some amendments approved by the DOE.
- **Vandana Bali, Department of Environment:** Appreciates the opportunity and as amended the DOE supports the resolution.
- **Com Slaughter:** Questions some of the amended language on the resolution.

- **Pres Gillespie:** Believes the question was resolved in the resolution and hopes it is reflected in the resolution.

- **Com Breslin:** What is the very key element that brought the DOE and TXC to make the resolution work?

- **Vandana Bali:** Allows the DOE to have one policy and guide to analyze the city green fleet.

Public Comment:

- **Hansu Kim, Representing Chrysler:** Glad this went over well. No City like SF for testing for vehicles. Make it clear in the resolution to exempt ramps and legacy testing fleets.

- **Pres Gillespie:** How would we address a vehicle in the context of testing vehicles?

- **Vandana Bali:** The language is sufficient and we are always working on new technologies.

- **Hansu Kim:** Chrysler will go to another city if this exemption does not include these testing vehicles.

- **Jim Gillespie:** Is this final analysis going to include wells to wheels and will there be a green list.

- **Barry Taranto:** Support certain parts of the resolution however CNG vehicles must be refilled more frequently and sometimes pumps are broken or out of service so it wouldn't be fair to charge drivers using these vehicles.

- **Emil Lawrence:** Against entire resolution because the comparisons between vehicles are erroneous. MUNI will be using frying oil in future for buses and no one has talked about this issue and how it will affect taxis.

- **Dan Hinds:** Purchased 2 new green vehicles.

- **Ruach Graffis:** Put the shield up in a van and during a 6 week period did not have shield and was robbed.

- **Pres Gillespie:** NYC is taking a miles/gallon and they have a shield mandate as well and hopefully there will be a vehicle that will have a shield and meet green house gas emissions.

- **Joe Mirable:** NYC standards stronger than SF especially if it includes CNG vehicles.

- **Todd Campbell, Clean Energy:** Commends the Commission on moving ahead with this resolution.

- **Thomas George Williams:** Vehicle list should be flexible and test models should be included. A gate increase is not fair; Commission should not make drivers pay.

- **JoanAnn Radu-Sinaiko:** As a disabled person and driver, ramps should not be included. Easier to step into a car than out of a van. But supports green vehicles.

- **Doug Cameron, Clean Energy:** Thanks Commission and staff for their work on this.

- **Marc Gruberg:** Allow the amendments to first be seen by the public before voting. AB 118 law will help CNG but will also help with other green vehicles.

- **Peter Witt:** If people with disabilities are not to be treated differently, then why are ramps to be exempt?

- **Andy Sinaiko:** Why not bring the PUC onto this issue and have them regulate traffic lights.

- **Marty Smith:** Hybrid vehicles are getting larger and all types of technologies are getting better.

- **John James, Lincoln and Mercury:** Chrysler working on bus hybrids. CNG vehicles are more adaptable and longer to enable shields. AB 118 doesn't include hybrids.

- **Tariq Mehmood:** Commission not asking the drivers for their thoughts on driving these vehicles. Just passing this legislation and ignoring paratransit.

- **Pres Gillespie:** Vote on proposed amendments and then a second vote on other amendments proposed.

- **Com Breslin:** I would like to see the final resolution before taking a vote.

- **Com Slaughter:** Motion to approve resolution with amendments.

- **Com Paek:** Second motion.

- **Pres Gillespie:** Would like to make an amendment to include Chrysler to allow their legacy testing fleet program.

- **Com Oneto:** Not comfortable with allowing one company the exemption. The commitment from DOE is enough in this resolution.

- **Com Slaughter:** If it is a whereas clause and not a resolve than this shouldn't be a problem.

- **Com Benjamin:** Motion to approve resolution with all amendments.

- **Com Paek:** Second motion.

AYES: Gillespie, Breslin, Benjamin, Oka, Paek, Slaughter, Oneto No: 0
Absent: 0 Recuse: 0

7. Adoption of Findings for Grasshopper Alec Kaplan Medallion Number 9062 [ACTION]

- **Dir Machen:** Overview of item.
- **Zadik Shapiro, Attorney for Grasshopper Alec Kapplan:** Overview of case and reports findings.
- **Com Oneto:** Motion to recuse Com Slaughter from voting on Grasshopper Alec Kaplan findings.
- **Com Paek:** Second motion.

AYES: Gillespie, Breslin, Benjamin, Oka, Paek, Slaughter, Oneto No: 0
Absent: 0 Recuse: 0

- **Com Breslin:** Issue of public safety not in the findings, which it should be. Why was it not included?
- **Dir Machen:** I am asking myself the same thing and we should include that in the findings.
- **Pres Gillespie:** Can we continue the adoption of this item to include more findings.
- **Steve Murray:** He was acquitted on assault charges. Just because he is irritating to people does not mean things can be exaggerated.
- **Carl Macmurdo:** The attorney was not contracted to attend the past meeting and Commission should not vote on these findings.
- **Ruach Graffis:** Grasshopper always picked her up at all times she called for a taxi.

8. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

- **Tariq Mehmood:** No one should be harassed by anyone else inside or outside this commission.

9. Adjournment 10:45 pm

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an Francisco Taxicab Commission

February 12, 2008

TAXICAB COMMISSION AGENDA

February 12, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

23
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12/08

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FEB 08 2008

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Call to Order/Roll Call

Consent Calendar [ACTION]

SPECIAL ORDER 7:30 - 8:00 PM

Public Comment (Please limit public comment to items NOT on the agenda)

Key Personnel Exemption Update [INFORMATION AND DISCUSSION]

Pro-rating 2004 to make it easier to qualify by using 2004 as one of the qualifying years [INFORMATION and DISCUSSION]

Adoption of Findings for Grasshopper Alec Kaplan Medallion Number 9062 [ACTION]

Consideration of Executive Director's Final Decision to Adopt the Hearing Officer's Recommendation[ACTION]:

- Robert Michael Friedman medallion number 865, National Cab, violation of the San Francisco Municipal Police Code Section § 1081(f); criminal convictions which constitute grounds for revocation under MPC §§ 1090(v), (viii); violations which constitute grounds for revocation under MPC § 1090(iv); and violation of MPC § 1110.

Staff Report and Commissioner Announcements [INFORMATION]

Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the January 22, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Abdul N. Babacarkhial	Dmitriy Semenov	Mario A. Gomez
Abida Roslyn Ajaz	Eh Kaw Drawny	Michael O. Mekonenn
Aleksey Lositovich Volskiy	Fauza M. Alashali	Michael S. Orbillos
Andre Robert Arel	Georgiy Aleksandrovich Chigrichenko	Mohamed El Alami
Anton Zhelanov	Gurcharan Singh	Quyen Nguyen
Antonio S.T. Paiva	Inderjit Singh	Ronaldo C. Franco
Ashish Dahal	Jagtar Singh	Samuel Johnson
Baljinder Singh	Jaswinder Singh	Soneena Lam
Bashudev Baskota	Joseph M. Herschelle	Wei Lin Huang
Bayabil G. Hailemariam	Khalid Abdel R H Haj Mohammad	Wendell A. Ferreira
Constant M. Massengo	Kyaw Min Oo	Zaw Latt
Deraldo Santos	Marcio Antonio Silva	Zhamisar K. Kambarov

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**	**Medallion Type:**
1. Ernesto G. Diala	1323	Arrow Cab	Alt. Fuel
2. Barry Korengold	1324	Yellow Cab Co-Op	Alt. Fuel
3. Nollie P. Griffin	1325	Big Dog City Cab	Alt. Fuel
4. Jessie Reyes	1326	Royal Cab	Alt. Fuel

5. Mohammed Z. Khan	9100	DeSoto Cab	Ramp
6. Demian Volynsky	9018	Black & White Checker Cab	Ramp
7. Lien Nguyen	9091	Luxor Cab	Ramp
8. Marika Yuhas	9038	Arrow Cab	Ramp

D. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	**List #**
1. Marco A. Mora	6-514

E. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	**List Number:**	**Type of Medallion:**
1. Robert A. Conrad	7-028	Ramp
2. John Jay Seible	6-535	Alt. Fuel
3. Barry Korengold*	6-521	Alt. Fuel

*Requested to be continued. He is also on Item D2 for consideration of a taxicab medallion.

F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Sayed Bashir Rahimi	1135	Bay Cab to DeSoto Cab
2. Ahmad Ali Mozaffari	1272	Regents Cab to Royal Cab
3. Mikhail Oykherman	1250	Bay Cab to B&W Checker
4. Martin Andrew Jakob	479	Bay Cab to B&W Checker

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 26, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**List #:**	**Color Scheme:**	**Medallion Type:**
1. Leonid Tarakanov	6-532	National	Alt. Fuel

B. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	**List #**
1. Sherry L. Giorgetti	6-527
2. Thomas C. Stern	6-528
3. Reza Ghorbani	6-531
4. Pascal P. Cosentino	6-534

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Chi Chu Shing	869	United to Town
2. Frances Wilson	802	Metro to B&W Checker
3. Richard Sprang	297	Luxor to SF American
4. Yefim Dolgoy	868	Alliance to B&W Checker
5. George Huie	1221	Regents to Yellow Cab
6. Ahmend Kabo	745	National to SF American

D. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	**List Number:**	**Type of Medallion:**

1. Mohamed Lassoued	7-061	Ramp

E. Commission Request to Calendar

Commissioner/ Request	Date of Request	Date of Hearing
President Gillespie		
Regular Updates from 311	July 24, 2007	
Yellow Cab business listings in phone book	July 24, 2007	
Administrative Tickets issued by Detail and Staff	Sept 11, 2007	
Review of dispatch changes of medallion holder	Oct 23, 2007	
Vice President Breslin		
Application process for taxi stands with DPT.	April 25, 2006	Planned Hearing Date
Request to calendar enforcement of illegal limousines	September 26, 2006	
Commissioner Oka		
Review of Taxi School curriculum regarding sensitivity of disabled community.	August 14, 2007	Planned Hearing Date
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	
What images are appropriate inside and outside of taxis	May 22, 2007	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	Planned Hearing Date
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	Rules Subcommittee Item
Gas and Gate meeting	June 12, 2007	
Commissioner Benjamin		
Time Waivers	June 12, 2007	Planned Hearing

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

SFMTA | Municipal Transportation Agency

TAXICAB COMMISSION MINUTES

February 12, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

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President Gillespie called the meeting to order at 6:35pm

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Deputy Director Jordanna Thigpen, Executive Secretary Tamara Odisho – Taxi Commission, Sergeant Ron Reynolds, City Attorney Tom Owen

Heidi Machen, Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

1. Call to Order/ Roll Call

Present: Gillespie, Breslin, Benjamin(late), Oka (Left at 9:00pm), Oneto, Pack

Absent: Slaughter

2. Consent Calendar [ACTION]

· **Com Breslin**: Motion to approve consent items A- Minutes, B- Public Vehicle Drivers, Grant medallions to C1-Ernesto Diala, C3- Nollie Griffin, C4- Jessie Reyes, C5- Mohammed Khan, C8- Marika Yuhas, Remove from PC&N list D1- Marco Mora, Grant Time Waiver E1- Robert Conrad, E2- John Jay Seible, Grant CS Change to item F1- Sayed Rahimi Bay to Desoto, F2-Ahmad Mozaffari Regents to Royal, F3- Mikhail Oykherman Bay Cab to B&W, F4- Martin Jakob Bay Cab to B&W

· **Com Pack**: 2nd motion

· **Ayes:**Gillespie, Breslin, Oka, Oneto, Paek **No**: 0
Absent: Benjamin, Slaughter **Recuse**: 0

· **Dir Machen**: Overview of C2- Grant medallion to Barry Korengold

· **Barry Korengold:** Supervisor Daly will be introducing amendments to Daly/Ma to clarify language.

Public Comment:

· **Robert Cezano:** Commission needs to find another way to count waybills for drivers, since this is not working.

· **Mark Gruberg**: Reasonable interpretation would be to allow pro-rated.

· **Carl Macmurdo**: Pro-rating makes sense.

· **Tarik Mehmood**: Should send a letter to Supervisor Daly's office recommending change to Daly/Ma.

· **Barry Taranto**: Need drivers like Barry on the streets, should pro-rate 2008.

· **Barry Korengold-** Prop K language does not require a driver to fulfill a whole year but 75% of the business days.

· **Com Oneto**: Does the City attorney agree?

· **City Attorney**: You have been a full-time driver for the entire year, pro-rating is not

· **Com Oneto:** Our place is not to make the laws but enforce the rules. Hopes Sup Daly amends the legislation but right now must follow the law.

· **Com Breslin**: Has a problem when the new year turns and applicants that are offered.

· **Dir Machen**: Reviewed documents and Mr. Kornegold would have needed to receive his letter in October to be able to qualify for 2007. He received his letter in November which would not have been enough time to be placed on the calendar.

· **Com Breslin:** Suggests Commission send a letter to Supervisor Daly and citing this case for reasons to amend Daly/Ma. Continue this to the next meeting.

· **Com Oneto:** Motion to continue C2- Barry Korengold to call of the chair.

· **Com Breslin**: Seconds motion.

· **Ayes**: Gillespie, Breslin, Benjamin, Oka, Oneto, Paek **No**: 0
Absent: Slaughter **Recuse**: 0

- **Item C6- Demian Volynsky:**

Public Comments:

- **Barry Taranto**: Should look at staff's memo

- **Keith Raskin**: Inability to speak English disadvantaged during PCC meeting.

- **Com Benjamin**: Why does he have different times on his waybills, when it shows that he was at the airport.

- **Insuren**: Driver at B&W knows Volynsky for 15 years, is a hard working person.

- **Gratch**: Grant his medallion, known him for over 15 years and doesn't know what the requirement of the airport logs are. Sometimes drivers don't keep accurate waybills.

- **Demian Volynsky**: Driver for many years and doesn't understand the problem.

- **Com Benjamin**: Why are there so many discrepancies on your waybills?

- **Demian Volynsky**: Sometimes get busy and don't keep tight log.

- **Bashir Rahimi**: Good driver has known him for many years.

- **Anton of B&W**: Has known his for many years and he is a good drvier.

- **Tariq Mehmood:** Large percent of drivers don't fill out waybills correctly.

- **Pres Gillespie:** Would he remain at the top of the list if he doesn't receive his ramp medallion?

- **Dir Machen:** Yes and would be offered a regular medallion when his name comes on the list.

- **Com Breslin:** In the memo from the Director shows that Mr. Volynsky tried getting a new appointment with PCC and is that because he was better prepared?

- **Com Oka :** Staff at PCC said he didn't interview well and when he was asked questions several different ways he could not answer.

- **Pres Gillespie:** Based on the PCC recommendation and staff memo, I do not feel this applicant is qualified for a ramp medallion.

- **Com Breslin:** Would like to allow him a second chance to interview with the PCC if he is committed to the program.

- **Com Oka:** Spoke with several people who were at the interview and consensus was another interview would not change their mind.

- **Com Paek:** Would like to continue this item in order to have another PCC interview.

- **Com Breslin:** 2nd motion

- **Ayes**: Gillespie, Breslin, Benjamin, Oka, Oneto, Paek **No**: 0
Absent: Slaughter **Recuse**: 0

- **Com Oka :** Has been told that Commission staff is scheduling PCC interviews, should allow MTA staff to be able to schedule those appointments.

- **Item C7- Lien Nguyen Grant Ramp Medallion**

- **Dir Machen:** Has no waybills for 2004 since he worked for King Cab who is no longer in business.

Public Comment:

- **Charles Rathbone:** Luxor would like to support this driver.

- **Mark Gruberg:** Commission needs to accept other evidence for driving

- **Bashir Rahimi:** Hard working guy don't give him hard time.

- **Ayes**: Gillespie, Breslin, Oka, Oneto, Paek **No**: 0
Absent: Slaughter **Recuse**: Benjamin

SPECIAL ORDER 7:30-8:00 PM

3. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Barry Taranto**: Only picked up three fares yesterday. Limos are all over city picking up fares.

- **Mike Spain:** Congratulates Paul on BOS legislation to increase gas and gate including fee for alternate fuel vehicles.

- **Hansu Kim:** Pending state legislation investigating illegal taxis in cities. Congratulates Bruce Oka on his help with the Commission and all he has done.

- **Charles Rathbone:** Presents Com Gillespie with TLC handbook.

- **Bashir Rahimi:** Smart cards should have pictures so drivers do not confuse them.

- **Emil Lawrence:** Biofuels are going to be next on the vehicle list and Commission should consider these vehicles in the fleet.

· **Barry Korengold:** Illegal limos are out of hand and are acting like another taxi fleet should be enforced on the streets.

4. Key Personnel Exemption Update [INFORMATION and DISCUSSION]

· **Dir Machen:** Overview of item.

· **Pres Gillespie:** Thought this was a great idea when this was passed initially. Sometime this works, ie Charles Rathbone, but how do we deal with companies who have a staff less than 10?

· **Dir Machen:** Have told those companies that they cannot participate.

· **Pres Gillespie:** Desoto listed 3 non-medallion holders, are they exempt?

· **Dir Machen:** No, only medallion holders are allowed this exemption.

· **Com Benjamin:** What works best for staff?

· **Dir Machen:** You could guide staff to come up with stronger guidelines in a resolution, especially those mentioned in my memo.

Public Comment:

· **Charles Rathbone:** Payroll forms are confidential and should not be submitted to the Commission. Sworn affidavits should suffice.

· **Pres Gillespie:** What would be a non-intrusive way to get this information? Do you fill out a time card?

· **Charles Rathbone:** We do not have other means and do not punch in and out.

· **Jim Gillespie:** Privacy is an issue but can redact information. Should consider mid-year transfers for key personnel.

· **Andy Saniku:** One of 3 Desoto exemptions but is not a medallion holder. Would like to be included as a key personnel.

· **City Attorney:** Policy can be changed by BOS.

· **Joan Ann Radu-Saniku-** Husband should be included in the exemption even if he is not a medallion holder.

· **Barry Taranto:** Legislation should state what proof is being used to prove these people are driving. Maybe should obtain state payroll taxes. Also should include waybills that they drove as apart of this audit.

· **Bashir Rahimi:** Dispatchers work harder than taxi drivers.

- **Tariq Mehmood:** Should define mid-year transfers.

- **Com Breslin:** There are safeguards in the legislation and should not create more work for staff since color scheme signs a sworn statement. Should include applicants on the list and allow for yearly adjustments.

- **Com Benjamin:** Agrees and should suggest this to the BOS.

- **Com Oneto:** For those requesting the exemptions, should turn them in on time and not take so long.

- **Pres Gillespie:** Requests Director to put the amendments into a resolution for our next meeting.

5. Pro-rating 2004 to make it easier to qualify by using 2004 as one of the qualifying years [INFORMATION and DISCUSSION]

- **Dir Machen:** Overview of item.

- **Pres Gillespie:** Was this brought up in a previous case?

- **Dir Machen:** It came up in Raymond Delagdo's case but would not effect him since he did not drive in 2004 or 2005.

- **Bill Mounsey:** Seems like people are trying to work around the rules. All these excuses are irrelevant.

- **Robert Cezano:** Legislation has a lot of pitfalls many drivers work part-time. Smart cards can be loaned to other drivers but now are being used as a record keeper and drivers were never aware of this.

- **Emil Lawrence:** American cab has inadvertently thrown out waybills for 2003 and 2004 and other companies maybe doing the same thing.

- **Carl Macmurdo:** An amendment by Supervisor Daly is being considered to begin in 2005 and not 2004.

- **Barry Korengold:** Removing 2004 and beginning in 2005 would be fair not easier. Daly/Ma has made it difficult to get a medallion, which is a good thing.

- **Mike Spain:** Prop K uses word individual and not cab driver, meaning anyone can get a medallion.

- **Joan Ann Radu-Saniku-** In favor of pro-rating this.

- **Andy Saniku-** Has driven requirement for the last 2 years

· **Pres Gillespie:** Should have 2 amendments; first Begin Daly/Ma in 2005 second. Pro-rating years you are heard.

· **Com Breslin:** Choices are given to applicants for certain processes helping applicants on both sides.

· **Pres Gillespie:** Sounds like BOS will be hearing this and will weight in on this.

· **Com Breslin:** Should pass a resolution to the BOS letting them know our position.

· **Pres Gillespie:** Requests the Director to write a resolution to the BOS with our recommendations.

· **Com Oneto:** How would we adjust for those cases we have previously denied if this legislation gets passed?

· **City Attorney:** The Commission can or can not reverse the past actions.

· **Pres Gillespie:** Thanks Commissioner Oka for his service and congratulates his approval to the MTA.

· **Com Oka:** Taxi industry is key transportation authority in this city and looks forward to preserving that.

6. Adopting of Findings for Grasshopper Alec Kaplan Medallion Number 9062 [ACTION]

· **Dir Machen:** Overview of item, has clarified findings to include serious allegations.

· **Sgt Reynolds:** Clarifies some police code definitions.

· **Zadik Shapiro, Attorney for Grasshopper Alec Kaplan:** Rebuttal of resolution items.

Public Comment:

· **Robert Cezano:** Says Ms. Machen said she noticed Mr. Shapiro, but later said she did not notice him.

· **Dir Machen:** Explains the history of noticing and how the decisions were made.

· **Alan Freeburg:** Drove his ramp van for 7 months on his cleanliness and was fired because he did not keep his cab clean. Excessive if Commission takes away his A card.

· **Steven Murray:** Grasshopper worked hard to start his color scheme and had a spare cab as well. Kept a clean cab

· **Mary McGuire:** Should dismiss this hearing because attorney was not clearly noticed. He seems to have bipolar disease and should have ADA and be evaluated.

· **Emil Lawrence:** Has known Alec Kaplan and believes he has gone through a lot. While in jail he will not have any income and this case may destroy him if he has no income.

· **Mark Gruberg:** Mr. Kaplan was tried without his attorney and to have his attorney address the Commission after findings were found does not seem to be admirable. These issues will be pursued. Should start from scratch.

· **Ruah Graffis:** There are a lot of people on the streets that were once tax paying citizens, this will be changing a man's life permanently.

· **AJ Wilkenson:** Using accusations that are unproven is not right.

· **Pres Gillespie:** Remove finding number 7, accusations should not be included and adopt o. We did make it clear to Mr. Kaplan's attorney that this was going to be heard in January.

· **Pres Gillespie:** Motion to remove finding number 7.

· **Com Breslin:** We are not a court, we uphold that standards of the industry. There is an appeal process.

· **Com Breslin:** 2nd motion

· **Ayes**: Gillespie, Breslin, Benjamin, Oka, Oneto, Paek **No**: 0
Absent: Slaughter **Recuse**: 0

· **Com Oneto**: Motion to adopt findings 1-6

· **Com Benjamin**: 2nd motion

· **Ayes**: Gillespie, Breslin, Benjamin, Oka, Oneto, Paek **No**: 0
Absent: Slaughter **Recuse**: 0

7. Consideration of Executive Director's Final Decision to Adopt the Hearing Officer's Recommendation [ACTION]

· Robert Michael Friedman medallion number 865, National Cab, violation of the San Francisco Municipal Police Code Section § 1081(f); criminal convictions which constitute grounds for revocation under MPC §§ 1090(v), (viii); violations which constitute grounds for revocation under MPC § 1090(iv); and violation of MPC § 1110.

· **Dir Machen:** Overview of item and presented options to modify, adopt or reject the hearing officers recommendations. Explained that they are not rehearing this case.

- **Jordanna Thigpen, Deputy Director**: Overview of the case.

- **Geoffrey Rotwein, Attorney for Robert Friedman**: Has serious concerns about the fairness of the hearing procedure. Would like to know if the Commissioners have heard the tapes? Believes due process was unjust and burden of proof should be on the taxi commission and not on his client.

- **Deputy Director Thigpen**: Rebuttal.

Public Comment:

- **Robert Cezano:** Seems that Commission should have training before presenting to the hearing officer.

- **Carl MacMurdo:** Federal lawsuit pending and this should not be heard.

- **Name:** Drove for Friedman and is a good guy.

- **Jesus Protillo:** Dispatcher at National for many years. Mike Friedman good driver. Is in rehab and is trying to get help.

- **Dan Hinds:** Mike Friedman never submitted any fraudulent documents. He is currently on disability and deserves a break.

- **Mark Gruberg:** Friend killed by someone who had 3 DUIs. If there are procedural concerns, rehearing may be an option.

- **Dave Murphy:** Michael Friedman is a sick person and now receiving help, should not be penalized for this.

- **Bill Mounsey:** Cannot depend on rehabilitation to help a person stop drinking.

- **Charles Rathbone:** Standards in the industry are low should be reviewed. Three DUI's are too many.

- **Tariq Mehmood:** Thanks Commission staff for all their work and hopes the Commission will too.

- **Com Benjamin:** What are the dates of the DUI's? Some of the arguments brought up by the attorney are legitimate. The DUI's happened a long time ago and his driving record as a cab driver seems to be clean.

- **Com Oneto:** His last conviction was 2001 but he is in rehab as of 2008.

- **Com Oneto:** Motion to adopt Executive Director's final decision to adopt the Hearing Officer's Recommendation.

· **Com Paek:** 2nd motion

· **Ayes**: Gillespie, Breslin, Oka, Oneto, Paek **No**: Benjamin
Absent: Slaughter **Recuse**: 0

8. Staff Report and Commissioner Announcements [INFORMATION]

- **Deputy Director Thigpen:** Staff report overview
- **Sgt Reynolds:** Review of annual safety report

Commissioner Announcements:

· **Com Breslin:** Rules Committee meeting regularly and would like to add certain items on the next agenda. Would like to know if there is an update on how the merger will take place. Would like more information about the wrap fund. What is the status of Peter Witt?

· **Sgt Reynolds:** Under the impression that Peter Witt's A card and medallion were given back to him.

· **Com Breslin:** ED has the right to summarily suspend but once it comes before the commission would like to be able make the final decision.

Public Comment:

· **Charles Rathbone**: 110 at fault taxis sound like a lot, should take a sample from that and see if there is a pattern of bad driving.

· **Richard Hybels:** Has only seen 3-4 accident reports per year and doesn't bother reporting hit and runs since when they call it into the police, they tell them to report it to their insurance.

· **Barry Korengold:** This job is dangerous and this proves that.

· **Robert Cezano:** Should create a system allowing driver to lock back driver side door.

· **Emil Lawrence:** There are no dates of when these reports are filed. High turn over in this industry and drivers seem to have less driving experience.

· **Tariq Mehmood:** Thanks Sgt Reynolds for his work on the safety standards.

· **Joan Ann Radu-Saniku:** Why isn't there a compliments column? Should have comment cards in taxis.

· **Hansu Kim:** Stats show taxi drivers are safest drivers and usually the accidents are not their fault.

9. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

- **Marco Mora:** Didn't have a chance to speak during the calendar to hear on this item.
- **Pres Gillespie:** Commission already approved removing his name and needs a motion to rescind that vote to continue the item to the following calendar.
- **Com Breslin:** Motion to rescind the Commissions vote and continue this item to the next calendar.
- **Com Oneto:** 2nd motion.
- **Ayes**: Gillespie, Breslin, Benjamin, Oka, Oneto, Paek **No**: 0
- **Absent:** Slaughter **Recuse**: 0
- **Robert Cezano:** Could we have a town hall style meeting on service before going to the MTA? Couldn't there be just one card for i.d. as opposed to the many i.d.s. Legality of tracking drivers at airport.

10. Adjournment

Explore:

- SFMTA Board
- SFMTA CAC
- Transit Meetings
- Bicycle Meetings
- Livable Streets
- Taxi Meetings
- Walk Meetings
- Parking Meetings
- Traffic Meetings
- All SFMTA

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an Francisco Taxicab Commission

February 26, 2008

TAXICAB COMMISSION AGENDA

February 26, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

SF
T23
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. Call to Order/Roll Call
. Consent Calendar [ACTION]

SPECIAL ORDER 7:00 – 7:30 PM

. Public Comment (Please limit public comment to items NOT on the agenda)
. Setting Additional Administrative Guidelines for the Key Personnel Exemption to the Medallion Holder Driving Requirement [DISCUSSION and POSSIBLE ACTION]
. Supporting Supervisor Daly's Legislation Adopting Standards for Pro-Rating Medallion Applicant Driving Requirement Contained in Municipal Police Code 1121 and Eliminating Time Waivers for Regular Medallion Applicants if the Amendment Becomes Law [DISCUSSION and POSSIBLE ACTION]
. Establishing Dispatch Standards [INFORMATION and DISCUSSION]
. Staff Report and Commissioner Announcements [INFORMATION]
. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the February 12, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Eziz Tachmuradov
Herbert Temoteo Solas
Ket Canh Tran
Mohamad Ali Baydoun
Tun Tun Aung

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**	**Medallion Type:**
1. Leonid Tarakanov	1327	National	Alt. Fuel
2. Barry Korengold*	1324	Yellow Cab Co-Op	Alt. Fuel

* Continued from February 12, 2008

D. Consideration of the Taxi Commission to remove the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	**List #**
1. Marco A. Mora*	6-514
2. Sherry L. Giorgetti	6-527
3. Thomas C. Stern	6-528
4. Reza Ghorbani	6-531
5. Pascal P. Cosentino	6-534

* Continued from February 12, 2008

E. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	**List Number:**	**Type of Medallion:**
1. Mohamed Lassoued	7-061	Ramp
2. Barry Korengold*	6-521	Alt. Fuel

*Continued from February 12, 2008

F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Chi Chu Shing	869	United to Town
2. Frances Wilson	802	Metro to B&W Checker
3. Yefim Dolgoy	868	Alliance to B&W Checker
4. George Huie	1221	Regents to Yellow Cab
5. Ahmend Kabo	745	National to SF American

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 11, 2008 hearing.

A. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Sherry L. Giorgetti	6-527	Failure to respond and submit applications
2. Thomas C. Stern	6-528	Failure to respond and submit applications
3. Reza Ghorbani	6-531	Failure to meet the full-time driving requirement per MPC Code 1121(b): Driver informed TXC Staff that he drove for an East Bay taxi company. Has not driven a San Francisco Taxicab per MPC rules & regulations.
4. Pascal P. Consentino	6-534	Failure to respond and submit applications

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Evern Byrd	1031	SF Taxi to Metro Cab

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:
1. Rashad Ahmed	6-530	Yellow Cab Co-Op	Alt. Fuel

2. Luis A. Lavagnino	6-536	Yellow Cab Co-Op	Alt. Fuel

D. Section 4 Rules Changes for consideration and possible adoption (support materials will be available at Taxi Commission meeting of 02/26/08 and at Taxi Commission office)

E. Commission Request to Calendar

Commissioner/ Request	Date of Request	Date of Hearing
President Gillespie		
Regular Updates from 311	July 24, 2007	
Yellow Cab business listings in phone book	July 24, 2007	
Administrative Tickets issued by Detail and Staff	Sept 11, 2007	
Review of dispatch changes of medallion holder	Oct 23, 2007	
Vice President Breslin		
Application process for taxi stands with DPT.	April 25, 2006	Planned Hearing Date
Request to calendar enforcement of illegal limousines	September 26, 2006	
Information on Taxi Wrap fund	February 12, 2008	
Rules Committee amended laws	February 12, 2008	March 11, 2008
Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	
What images are appropriate inside and outside of taxis	May 22, 2007	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	Planned Hearing Date
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	Rules Subcommittee Item
Gas and Gate meeting	June 12, 2007	
Commissioner Benjamin		
Time Waivers	June 12, 2007	February 26, 2008

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67

of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

SFMTA | Municipal Transportation Agency

TAXICAB COMMISSION AGENDA
February 26, 2008 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Executive Secretary Tamara Odisho – Taxi Commission, Sergeant Ron Reynolds, City Attorney Tom Owen

Heidi Machen, Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

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1. Call to Order/ Roll Call
• Present: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter
Absent: 0

2. Consent Calendar
• Dir Machen: Server items C1- Leonid Tarakanov, C2- Barry Korengold, D1-Marco Mora E2- Barry Korengold and F4- CS change for recusal
Public Comment: NONE
• Com: Motion to approve A- Minutes, B- Public Passenger Drivers, E-1 time waiver to Mohammed Lassoued, cs change to F1-Chi Chu Shing, F2- Frances Wilson, F3- Yefim Dolgoy, F-5 Ahmed Kabo
• Com: 2nd motion
• **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
ABSENT: 0 RECUSE: 0

Public Comment on Severed Items:
• Marco Mora: Did not turn in his application because his blood pressure was taken incorrectly.
• Dir Machen: Staff told me he did not bring in his medical documents and he was placed on notice calendar. Was a long time since he responded and no other applicants has had this problem.
• Pres Gillespie: Would like to continue to have staff put together a memo on this.
• Dir Machen: Recommend not to remove him and give him 2 weeks to complete his application and then start the removal process to the calendar.
• Mark Gruberg: This is a case of an applicant who has no health insurance and was anxious of the bad result.
• Com Breslin: Motion to approve C1-Leonid Tarakanov conditionally. Motion to grant medallion and if he does not pass background check then Commission will revoke his medallion.
• Com Benjamin: 2nd motion

• **Ayes: Gillespie, Breslin, Benjamin, Oneto, Paek, Slaughter No: 0**
Absent: 0 Recuse: 0

• Pres Gillespie: Continue Barry Korengold items C2- grant medallion and E2- time waiver to call of the chair.
• Com Oneto: Motion to not remove D1- Marco Mora from the list. Grant him 2 weeks to turn in required documents to the commission for PC&N application.
• Com Breslin: 2nd motion
• **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
ABSENT: 0 RECUSE: 0

• Pres Gillespie: Continue items D2-D5 to next calendar.
• Com Onteo: Motion to grant cs change to George Huie from Regents to Yellow
• Com Slaughter: Second motion
• **AYES: Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
ABSENT: 0 RECUSE: Gillespie,

SPECIAL ORDER 7:00-7:30PM
3. Public Comment (Please limit public comment to items NOT on the agenda)
• Barry Taranto: Concerned that medallion holders are not being responsible and are giving drivers authority over their medallions. Sometimes medallion holders give their medallion to a color scheme. A third is the medallion holder giving their medallion to another party as if they are a color scheme.
• Com Breslin: Rules Committee has addressed this issue and those recommendations with be presented at the next meeting.
• Tom Stanghellini: Escape hybrids are too high for top sign advertisements. However wrapping a cab may take months. Option would be placing ads on the side windows.
• Charles Rathbone: Formula for calculating average gate should be average of the days of the week in order to give deeply discounted shifts for example Thanksgiving.
• Tariq Mehmood: Thanks all the Commissioners on passing the Gas and Gate legislation. Issue Charles Rathbone brought up is valid and should be addressed.
• Mike Spain: Would also like to thank Board of Supervisors and should not provide certain groups in the industry to exploit these rules. Many complaints about middle men, which I think are fair since drivers keep more of their own money.
• Peter Witt: At the last Commission meeting someone said taxi drivers should be held to a higher standard. Presented this report to the Commission 2 years ago.
• Bill Mounsey: Got hit in the face by a pedestrian. Police came 15 minutes later and didn't do much to find the perpetrator.
• Name: In divorce settlement ½ medallion was left to her. Came to the Commission who xeroxed her copies and has not heard from the commission. Ex-husband put his name alone on the medallion.
• Mark Gruberg: Legislation passed today by Board of Supervisors increasing gas and gate by $5 - 12.50/shift. UTW fought this but lost and drivers will have to pay the price. Healthcare was taken out of the legislation. Provision which retroactively covers gate charges, violates due process rights.

• Robert Cezano: Raising gas and gate by the City for the industry to go all green. Nothing happened with any reports the controller's office conducts. It's up to the city to find a way to keep the costs of taxis lower.

4. Setting Additional Administrative Guidelines for the Key Personnel Exemption to the Medallion Holder Driving Requirements [DISCUSSION and POSSIBLE ACTION]
• Dir Machen: Overview of the item and resolution drafted directs staff to investigate but leaves it up to the commission to make changes.
• Com Benjamin: I thought we would include non-medallion holders who are on the list but work as dispatchers.
• Pres Gillespie: Would that take legislation?
• City Attorney: Yes, the Commission could draft legislation and present it to the board.
• Pre Gillespie: What you are talking about is different than this resolution. We can amend this and come back next week.
• Com Breslin: Can we just include it tonight?
• Pres Gillespie: We need to agendize that.

Public Comment:
• Charles Rathbone: Privacy issue still exists, hours worked are fine but pay should be redacted.
• Tom Stanghellini: Financial records can be opened to the investigator to certify hours worked, doesn't want information being released to the public
• Barry Korengold: If there's an exemption to medallion holders, only fair it applies to applicants.
• Barry Taranto: Language in resolution to help those experienced drivers working in the office. How do you ensure confidentiality and at the same time have proof of work?
• Jim Gillespie: Majority of medallions are at the larger companies and are easy to follow, since they keep records of pay. Maybe staff should conduct a one time per year audit of the companies. Should set the standard for all companies as a guideline to follow.
• Peter Witt: Glad this is working its way down to the details. This item has been on the table for years.
• Com Oneto: Wasn't there a penalty if they did not turn their forms in on time?
• Pres Gillespie: Isn't there a deadline now that we can deny the exemption if they do not turn them in on time?
• Com Oneto: At the last meeting the Director said that there were some folks who had not turned in their application on time. There should either be a fee or a denial if applications are not turned into the commission.
• Dir Machen: Thank you for bringing this issue up. We had to remind companies several times before the deadline. Commission could make the policy decision.
• Pres Gillespie: Since everyone turned in their applications, we do not need to make this amendment.
• Com Slaughter: We did not hear that from Director Machen.
• Dir Machen: It would be helpful is the commission made a decision on this. We can give zero credit to applicants who do not turn in their applications.
• Com Breslin: Should include the details of date and time application is due.
• Com Benjamin: Agrees, and should add more language to resolution.
• Com Breslin: Opposed to spending staff time on a minimal number of people who may or may

not be fraudulent. Believes staff has the power to check and investigate fraud. Against releasing personal information of these key personnel.
• Com Paek: Should have some standards procedures and structure.
• Com Slaughter: Can remove the word "comprehensive" from the resolution. Not interested in invading privacy of the key personnel.
• Com Breslin: If we eliminate "comprehensive" I would also eliminate "preliminary" and would like a detailed understanding of what type of investigation will be conducted and where.
• Com Slaughter: Nervous about adding detailed language which is too hands on.
• Com Benjamin: Motion to approve resolution and omitting "comprehensive" from language.
• Com Paek: Seconds motion.
• **AYES: Gillespie, Benjamin, Paek, Oneto, Slaughter NO: Breslin**
ABSENT: 0 RECUSE: 0

5. Supporting Supervisor Daly's Legislation Adopting Standards for Pro-rating Medallion Applicant Driving Requirement Contained in Municipal Police Code 1121 and Eliminating Time Waivers for Regular Medallion Applicants if the Amendment Becomes Law [DISCUSSION and Possible ACTION]

• Dir Machen: Overview of the item
• Pres Gillespie: Can we discuss an item that is not included on this resolution?
• Dir Machen: Spoke with Supervisor Daly's office and will be considering removing 2004 language.
• Pres Gillespie: Would like to discuss removing 2004 driving requirement.
• City Attorney: As long as it falls within the context.
• Com Breslin: Reviewed the resolution with Sup Daly's office and didn't understand why time waivers were included in this.
• Pres Gillespie: Wouldn't removal of 2004 driving requirement eliminate the need for time waivers?
• City Attorney: No.
• Com Benjamin: If this goes through retroactively would those who have been denied come before us?
• City Attorney: The Board of Supervisors would make that determination in their legislation.
• Com Oneto: In Daly's language it leaves it up to the Commission to prorate but doesn't set a standard.

Public Comment:
• Charles Cezano: Drivers do not necessarily drive the same cabs and that is a lot of waybills to meet this requirement. If one or two waybills are missing then the applicant falls out of the running. Suggest waybills should be electronic.
• Com Slaughter: This language does not change the burden of proof, right?
• City Attorney: Correct.
• Barry Korengold: Shouldn't remove time waivers, they help applicants. This language doesn't need to be changed but is misinterpreted.
• Carl Macmurdo: Agrees with what Barry said. Time waivers are helpful. Another amendment not in here is removing 2004 as a requirement. Sup Daly's office will be introducing this legislation.

• Jim Gillespie: This legislation won't affect 100 people but more like 10- 15 people.
• Mark Gruberg: There's some purpose to keeping the time waiver.
• Com Slaughter: May want to wait until after the legislation is passed to consider time waivers. Consensus of the commission is remove 2004 as one of the years.
• Com Breslin: Would like to poll commissioners as to their stand on this legislation to report to Supervisor Daly.
• Pres Gillespie: There is a general consensus to remove the time waiver and accept the resolution.
• Com Slaughter: Motion to approve resolution but first removing time waiver language
• Com Breslin: 2nd motion
• **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
ABSENT: 0 RECUSE: 0

6. Establishing Dispatch Standards [INFORMATION and DISUCSSION]
• Dir Machen: Overview of item.
• Pres Gillespie: Think this through and review this data and make any potential amendments.
• Com Benjamin: Should give a minimum requirement of reporting.
• Com Oneto: We need to set the standards on ramps soon. We should set something like 70-75% calls must be responded to and then should create a progressive discipline program.
• Com Slaughter: Looking at dispatch rules, Rule 7 says the dispatcher who is contacted and cannot provide ramp service are required to find a ramp vehicle. New language is not needed since we have it on the books, staff needs to enforce the rule with fines.
• Dir Machen: Currently have fines on the books that staff can impose on the offending company, but it is labor intensive since if it is challenged then it needs to go before the hearing officer and then possibly then Board of Appeals.
• Com Benjamin: Should limit ramps to only 3 companies; Yellow, Luxor and B&W
• Pres Gillespie: Desoto has 14 cabs and should be considered.
• Dir Machen: A company does not perform like you think they do. There are different circumstances. Yellow faired poorly, but their drivers could be giving cell phone numbers to users. DeSoto did not perform well either.
• Com Oneto: Can't we set a standard and of those decertify those who are not meeting the minimum.
• Dir Machen: Commission can consider the next 3-4 meetings to discuss this issue. Allowing enough time to put the dispatch companies on notice. They renew their application in July. Would also need to ensure there's enough time for ramp applicants to apply for a color scheme change.
• Com Breslin: Taxi Rules Committee meets March 14, 2008 and will be discussing this issue at that meeting.

Public Comment:
• Tom Stanghellini: Why don't other larger companies invest in ramp vehicles? Reccomends Commissioners to come to dispatch companies and listen to how drivers are turning off radios or refusing calls.
• Charles Cezano: Should ban vans from the airport. Many companies are not taking vans unless owners pay for the vehicles. Vans loose money and don't make money for companies. A lot of these surveys are cell phones.

• Barry Taranto: Helped Roger Cardenas when he was having problems with vans. Commission issues ramp medallions to holders who are at underserved companies.
• Charles Rathbone: Congrats to B&W Checker. Staff going the right direction but be careful to not over scrutinize.
• Tone Lee: Good service means a well functioning cab company
• Peter Witt: The customer is important. There are standards and intent and letter of the law. This should have been addressed years ago. There are goals but they are unrealistic.
• Bill Mounsey: Should have central dispatch for ramp taxis. These vans are another way of getting another medallion. B&W Checker has a good service, but larger companies used to have better service. Strange that smaller company does better than larger.
• Mark Gruberg: No cab company will send a caller a cab, it's a volunteer system. Dispatchers can't always get volunteers. Central dispatch frightens people, call it something else. Regents numbers are somewhat discouraging, however Regents keeps the passenger on the line and tell the passenger the cab is coming.
• Thomas George Williams: Drivers are independent contractors and do not have to pick up fares they do not want.
• Gratch, B&W Checker: There's only one way to address this issue, since drivers are independent contractors, there should be incentives, possibly charge extra fee. Job is difficult and heavy for drivers to complete.
• Tariq Mehmood: Talked to Yellow management to change software to put into a better dispatch system to increase service.
• Carl Macmurdo: Commends commission for putting this on the agenda. Goldman School has a report last year that should be reviewed. Ramp program should have employees or proper incentives.

7. Staff Report and Commissioner Announcements [INFORMATION]
• Dir Machen: Overview of item.
• Sgt Reynolds: Will continue to operation bandit over the next few months. New breed of illegal limos. Made some arrests.
• Com Breslin: Pleasure working with Sgt Reynolds. Question on background check for medallion holders.
• Sgt Reynolds: Older permits seem to take longer than the newer ones, about 100 left.

Commissioner Announcements:
• Com Breslin: Rules will be meeting next month. Handouts given to commissioners and should be reviewed before it goes to the public. Only Section 4 was noticed, would like to have others discussed. Can someone come speak to us about the merger? Address authority on the Peter Witt case and a decision. On Senate language, to include illegal limos for the City. Property tax issue find out from the Assessor/ Recorder and if all that is needed is making a note on that.
• Com Benjamin: Should find out if there are any improperly registered taxis. Has spoken with Sgt Reynolds about this.
• Sgt Reynolds: Have been investigating this issue and it is illegal to do this but there is no penalty for not complying. Area surrounds hybrid vehicles. If it not a criminal act, it's not in our jurisdiction.

• Pres Gillespie: Would like a memo on this issue. Com Benjamin, continue to work with Sgt Reynolds.
Public Comment:
• Charles Cezano: You are obligating people to purchase green taxis and should look at how to help individuals or a plan to finance these vehicles.
• Barry Taranto: Applaud staffs outreach. Sgt Reynolds doing great work on under cover operations, however left out names of the hotels and should be more specific.
• Tone Lee: Bribes happen behind the building.
• Mary McGuire: Would like clarification on wrap fund and is it re-categorized as a fee and can it be integrated as office budget.
• Pres. Gillespie: Will be having a hearing in the next few weeks. Staff has been doing a great job on researching this.
• Charles Rathbone: There is a legitimate limo industry and there is a new breed of thuggish illegal limo drivers that need to be addressed.
• Peter Witt: This is the fifth report and hands one out to the commission, CPUC, DA's office as well. Hopes the Commission does not merge with the MTA. There are rules of how the Commission should be spending the wrap fund, look it up.
• Tariq Mehmood: Give us more information we can hand out to bellman.

8. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
• Carl Macmurdo: Congratulates Paul Gillespie on legislation passed by the Board of Supervisors. Key Personnel exemption issues that still need to be addressed are whether or not the Commission will allow mid-year designations of key personnel. Spoke with Sup Elsbernd who may be willing to introduce amendments.
• Tone Lee: Income of taxi drivers continues to go down.
• Mary McGuire: Inefficient that taxi commission drives to and from commission office to color scheme. Should conduct audit at company. Enjoys driving her new hybrid vehicle.

9. Adjournment- 10:10pm

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San Francisco Taxicab Commission

March 11, 2008

TAXICAB COMMISSION AGENDA

March 11, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

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1. Call to Order/Roll Call
2. Consent Calendar [ACTION]

SPECIAL ORDER 7:00 – 7:30 PM

3. Public Comment (Please limit public comment to items NOT on the agenda)
4. Election for a President and Vice President of the San Francisco Taxi Commission. [ACTION]
5. Establishing Dispatch Standards [DISCUSSION and POSSIBLE ACTION]
6. Consideration of Taxicab Rules and Regulations Section 4 Rule Changes [DISCUSSION and POSSIBLE ACTION]
7. Staff Report and Commissioner Announcements [INFORMATION]
8. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that dic speak during Special Order)
9. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted ı single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commiss requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the February 26, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Abdul Farouqi	Jose Molina	Oleh Baklan
Abdulrhman Hussein	Juan Francisco Rivera	Pablo Ruiz
Adam Daum	Khanh Nguyen	Rajesh Thapa
Agvaantseren Turbold	Mark Mallett	Ramon Tarusan
Dick Chhetri	Monise A Trindade	Rishi D Trivedi

Diwakar Sharma	Musa Sule	Ronald East
Eddie H Tam	Myo Thant	Timothy Arechiga
Felix Droz	Naher Amana	Vladamir Romashko
Gabriel Liotto	Naim Noori	Wen Li Wu
James Gray	Nick Joseph	

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Sherry L. Giorgetti	6-527	Failure to respond and submit applications
2. Thomas C. Stern	6-528	Failure to respond and submit applications
3. Reza Ghorbani	6-531	Failure to meet the full-time driving requirement per MPC Code 1121(b informed TXC Staff that he drove for an East Bay taxi company. Has n a San Francisco Taxicab per MPC rules & regulations.
4. Pascal P. Consentino	6-534	Failure to respond and submit applications

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Evern Byrd	1031	SF Taxi to Metro Cab

E. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Rashad Ahmed	6-530	Yellow Cab Co-Op	Alt. Fuel	Not Cleared
2. Luis A. Lavagnino	6-536	Yellow Cab Co-Op	Alt. Fuel	Not Cleared

F. Consideration of the Taxi Commission to grant a Dispatch Change to:

Color Scheme:	Change:
1. Best Cab	American to Town Taxi

* Commission will need to waive notice requirement to allow this item to be approved.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and compl applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes whi reviewed and considered on the March 25, 2008 hearing.

A. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List#	Reason
1. Tooraj Shahlai	6-916	Driver is not interested in the Ramp Medallion Permit and states he is unable to complete the ramp driving requirement.

B. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Leon T. Le	6-416	Was granted 1 yr. time waiver to meet the full-time driving requirement, contact TXC after time waiver expired to turn in necessary documents; previously did not meet the 3 yr. driving requirement for year 2007.
2. James Mallon	6-537	Offer expired February 29, 2008; No response; did not submit the neces applications.
3. Shui H. Hui	6-539	Offer expired February 29, 2008; No response; did not submit the neces applications.

C. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
1. Souleiman Ghali	6-541	Alt. Fuel

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Manjit Singh	1291	Luxor to Yellow

E. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Pardip S. Saini	6-526	Yellow	Alt. Fuel	Cleared
2. Jahan Z. Khan	6-529	National	Alt. Fuel	Not Cleared

F. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	DeSoto Cab
Medallion #s:	104, 110, 304, 717, 771
Duration of Campaign:	March 31, 2008- April 14, 2008
Advertiser:	Blue Coat Systems Inc.

G. Commission Request to Calendar

Commissioner/ Request	**Date of Request**	**Date of Hearing**
President Gillespie		
Regular Updates from 311	July 24, 2007	
Yellow Cab business listings in phone book	July 24, 2007	
Administrative Tickets issued by Detail and Staff	Sept 11, 2007	
Review of dispatch changes of medallion holder	Oct 23, 2007	
Vice President Breslin		
Application process for taxi stands with DPT.	April 25, 2006	Planned Hearing Date
Request to calendar enforcement of illegal limousines	September 26, 2006	
Information on Taxi Wrap fund	February 12, 2008	
Rules Committee amended laws	February 12, 2008	March 11, 2008
Would like an MTA update	February 26, 2008	
Update on Peter Witt	February 26, 2008	
Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	
What images are appropriate inside and outside of taxis	May 22, 2007	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	Planned Hearing Date
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	Rules Subcommittee

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Comm "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the Sa Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in pare Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Co Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenc

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Com (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please c Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Comı (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these indi

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this lc Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAlliste Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behir Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other a the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Cha the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator t Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 55 by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required b Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite . Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Pleas advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec 67A 1)*

SFMTA | Municipal Transportation Agency

TAXICAB COMMISSION MINUTES

March 11, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Director Heidi Machen, Deputy Director Jordanna Thigpen, Executive Secretary Tamara Odisho – Taxi Commission, Sergeant Ron Reynolds, City Attorney Tom Owen

Heidi Machen, Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

1. Call to Order/ Roll Call

· Present: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter
Absent: 0

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2. Consent Calendar [ACTION]

Public Comments:

· **Reza Ghorbani:** Has been a owner/driver for 20 years in the tri-bay area.

· **Thomas Stern**: Has stopped driving for 10 years ago and has not contacted the Commission with his new address.

· **Ron Fishman**: Why is American allowing Best Cab to leave, that shouldn't be a decision up to the Commission.

· **Barry Taranto**: Studies show that American dispatch did not do any service. Best cab should move to a dispatch company that provides service to ramp vehicles.

· **Jim Gillespie**: Compliments Rashad Ahmed and Luis Lavagnino for receiving medallions.

· **Tariq Mehmood**: Rashad is a good driver and knows he doesn't have any background problems.

· **Com Benjamin:** Motion to approve consent items: A- minutes; B-Public Passenger permits; C1- Sherry Giorgetti, C2 Thomas Stern, C4- Pascal Consentino; D1- CS change for Evern Byrd

- **Com Oneto:** 2nd motion

- **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: 0

- **Com Breslin:** Remove item C3-Reza Gorbani for failure to respond or submit an application

- **Com Benjamin:** 2nd motion

- **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: 0

- **Com Benjamin:** Approve pending DOJ background clearance items E1- Rashad Ahmed and E2- Luis Lavagnino

- **Com Paek:** 2nd motion

- **AYES: Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: Gillespie

- **Com Oneto:** Waiver requirement for Item F- Best cab dispatch change to be placed on notice.

- **Com Benjamin:** 2nd motion

- **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: 0

- **Com Benjamin:** Approve dispatch change for Best Cab from American to Town taxi

- **Com Oneto:** 2nd motion

- **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: 0

SPECIAL ORDER 7:00 – 7:30 PM

3. Public Comment: (Please limit public comment to items NOT on the agenda)

- **Charles Rathbone**: Resigned as Treasurer from Medallion Holders Association

- **Barry Taranto**: Staff is meeting with SFMTA to discuss folding of agencies. Someone from the SFMTA should be invited to update the Commission on merger meetings occurring.
  Abuses happening with the smart card, there is an investigation. Limo and town cars taking business. Baseball season beginning.

- **Jim Gillespie**: Address the issue of bandit taxis affecting the industry. Would like Commission to write a support letter in favor of the bill. Doesn't seem to have any opposition.

- **Chuffa**: Would like the Commission to reconsider the requirement for the medallion holders to drive 156 hours their first year of receiving medallions.

- **Jaswinder**: UTW sued and asked drivers to not drive Welch medallions. UTW settled the lawsuit and took those medallions leaving yellow drivers without a job.

- **Name**: UTW abused the Taxi law and created more layers than allowed.

- **Mohammed Booya**: Why doesn't UTW show their financial records to their members. Where does the collected money go?

- **Bill Mounsey**: Drivers received a gas increase last year but now there's a gas and gate increase leaving the drivers in the red.

- **Robert Cezano**: Smart card was not created to track medallion holders there is no identification on the card. There should be some system created

- **Tariq Mehmood**: Need some basic healthcare plan. There's a violation of the layer clause with the Welch medallions and should be addressed by the Commission. A station wagon is registered as a taxi and is not allowed.

- **Ron Fishman**: As a driver had more money in 1980 than today. Meter should be increased. Higher driver turnover due to less competitive salary. Pay doesn't keep up with inflation.

4. Election for a President and Vice President of the San Francisco Taxi Commission [ACTION]

Public Comment:

- **Barry Taranto:** Commission to re-elect a new president.

- **Peter Witt:** Does not support President Gillespie.

- **Tariq Mehmood:** There are so many bad drivers out there. Commission and President should be proud of what they do.

- **Anne McVeigh:** Would like to support Com Breslin for her role and would like to see her stay in her role or elected as President.

- **Mark Gruberg:** No longer supports President Gillespie as president.

- **Chuffa:** Commissioners are regular people caught between people. What's the importance of this election if the Commission will move to the SFMTA?

- **Hansu Kim:** Supports President Gillespie's nomination. Difficult industry and hard to reach a consensus.

- **Bill Mounsey:** Supports President Gillespie's nomination because he is the only driver on the commission.

- **Dan Hinds:** Supports President Gillespie's nomination. Over the few months has exercised leadership.

- **Name:** Would like to support President Gillespie.

- **Carl Macmurdo:** Any commissioners would make good president.

- **Name:** Approves of Pres Gillespie and wishes him well.

- **Barry Korengold:** Supports Paul although he doesn't agree with him. Only cab driver on the Commission.

- **Name:** Would like to support Paul Gillespie as president.

- **Commissioner Breslin:** Paul you have served as vice president under several executive directors and as president you have done and accomplished a lot. I am not suggesting myself. This commission is made up of many representatives. I would like to recommend Commission Benjamin as president.

- **Com Slaughter:** The Commission's working very well and there are a lot of things coming up. Stability is something this commission could use.

- **Com Paek:** Electing a new president, would rock the boat. There is a lot that needs to get done and to learn for someone in a new position.

- **Com Benjamin:** Appreciates the nomination but would like to support Paul as president and Patricia as vice president.

- **Com Paek:** Motion to elect Paul Gillespie as President of the Taxi Commission.

- **Com Oneto:** 2nd motion.

- **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: 0

- **Com Oneto:** Motion to elect Patricia Breslin as Vice President of the Taxi Commission.

- **Com Benjamin:** 2nd motion.

- **AYES: Gillespie, Breslin, Benjamin, Paek, Oneto, Slaughter NO: 0**
  ABSENT: 0 RECUSE: 0

5. Establishing Dispatch Standards [DISCUSSION and POSSIBLE ACTION]

· **Dir Machen:** Overview of the item

· **Mark Soto, Veolia Transportation:** Provided historic context for MTA setting minimum number of taxis per dispatch companies to contract with paratransit broker.

· **Pres Gillespie:** We have not had a minimum requirement for a particular color scheme.

· **Mark Soto:** Creating a minimum would help aide the paratransit community.

· **Dir Machen:** Overview of the number of ramps at each dispatch company. The requirement would be to have at least 4 ramp vans per dispatch company. There are 11 dispatch companies that operate any number of color schemes.

Public Comment:

· **Name:** By doing this you will eliminate small businesses which is against what SF stands for. When starting a business, it would be impossible to line up 50 cabs.

· **Ron Fishman:** There's no way to line up 50 taxis and is discriminatory in a small business progressive city.

· **Bill Mounsey:** This is a step in the right direction. Most ramp cabs are not being used as ramp vehicles. B&W checker does a good job picking up the disabled community.

· **Charles Rathbone:** Approves of this resolution and hopes the Commission approves this. American is a mockery of dispatch service. Commission shouldn't allow any dispatch unless it can provide service to all communities.

· **Name:** American is a mismanaged company that operates other types of business. It's a mismanaged and over extended company and doesn't deserve ramp vans.

· **Robert Vitcha:** Small but a step in the right direction. Should strengthen standards on ramp dispatch.

· **Barry Taranto:** Happy this resolution is coming before the Commission. But should wait to vote on this until the next meeting. The minimum should be 30 and there should be at least one ramp in the city for service.

· **Anne McVeigh:** Decisions are being made on the surveys conducted by staff. Industry didn't approve of those results. Commissioner should consider this.

· **Dan Hinds:** National doesn't accept ramp vans because they cannot provide good service to disabled community.

· **Name:** This legislation is anti competitive and anti small business.

- **Andy Snaiku:** Radio dispatcher for DeSoto and drove a ramp for a few months. Minimum requirement of 50 medallions is high. A lot of cooperation among the larger companies to be able to service the ramp community.

- **Hansu Kim:** Long over due to improve public service and availability. Dispatch companies are important for public service and are different than owning a small business and operating a medallion. The minimum requirement should be 75 medallions per dispatch service. This creates a standard.

- **Rich Hybels:** Servicing the community is difficult with 30 cabs. Most of them are at the airport. We work off Citywide's dispatch.

- **Ruah Graffis:** Interesting that Commission is taking this on after so much technology coming out to make this easier off one phone number. Against this resolution

- **Chuffa:** Ramp service is improving but for some reason orders are not being posted on gps / radio orders. Has spoken to drivers at other companies that are wondering where the orders are going.

- **Peter Witt:** Agenda doesn't mention ramp taxis so shouldn't be discussing this issue. This is not a solution to this problem.

- **Mark Gruberg:** Supports this idea but not sure this resolution is the best way of approaching this issue. Unfair for the Commission to set a 50 cab standard to be met within a few months.

- **Tariq Mehmood:** Dispatch to the disabled community is a serious issue. The resolution will not solve the issue. Ramp drivers should have monetary incentives since picking up ramps do not make enough money to gas and gate.

- **Com Benjamin:** Approves and agrees with this resolution.

- **Com Oneto:** As a consumer, who would call a dispatch company with a small number of taxis? A better number would be at least 75. Would like to hear from PCC on this.

- **Com Paek:** This is more complicated then just numbers and would like to hear more discussion on this. Would like to realize incentives for ramp drivers since this is touching on a driver's income.

- **Pres Gillespie:** Would like to hear from the PCC community and the rules committee.

- **Com Slaughter:** Ramps and regular taxis are different conversations. This resolution doesn't address the ramp problem.

6. Consideration of Taxicab Rules and Regulations Section 4 Rule Changes [DISCUSSION and POSSIBLE ACTION]:

- **Com Breslin:** Introduction of this item. Would like to dedicate one hour of tonight's meeting to this discussion.

- **Deputy Director Thigpen:** Review of 4.A.7- Leaser to have name on vehicle title and registration.

- **Com Oneto:** Since the legislation was passed last week this would now double charge drivers.

- **Com Breslin:** I don't believe this will change anything for the drivers. Would like to send this back to the Rules committee.

- **Deputy Director Thigpen:** Review of 4.A.9- shift changing ; 4.A.10- ; 4-A.11- notice when leaving for 30 days or more; 4.C.1- leases

Public Comments:

- **Ron Fishman:** 30 day notice burdensome and would like it eliminated. Shift changing on property causes accidents and safety problems.

- **Emil Lawrence:** Shift changing on lot isn't purposefully. 30 day notice shouldn't be required.

- **Carl Macmurdo:** Shift changing is an issue for people who live far off on the lot especially long term drivers. Drive your own medallion rule inhibited service esp during dot com boom. 30 day notice rule doesn't seem right.

- **Barry Taranto:** Drive your own medallion is important for vehicle maintenance. Should set up a procedure for shift changing to help better service the public. Broker language should be approved as amended.

- **Robert Cezano:** 30 day notice requirement is against rules.

- **Richard Hybels:** leased drivers will pay for their own vehicles and have and will save money. Shift changing should occur off lot.

- **Jim Gillespie:** Sees both sides of shift changing. The commission won't be able to stop it but the parking on the street is negative. Maybe some regulations on taxis found parked on a public street. Don't understand the drive your own medallion rule.

- **Chuffa:** Shift changing off site should be allowed. We need to service the city and how to improve it. 30 day notice is wrong.

- **Anne McVeigh:** Agrees with Carl Macmurdo's changes.

- **Hansu Kim:** Current rules have not been updated to incorporate leased drivers. Shift changing off site should be allowed. Drive your own medallion rule shouldn't be required either.

- **Barry Korengold:** Drive your own medallion rule impractical. 30 day notice is infringement on rights. Shift changing off site should be allowed.

- **Tom Stanghellini:** Shift changing off site happens all the time. How will commission obtain waybills if they shift change off the property? Drive your own medallion rule should be managed.

- **Charles Rathbone:** Shift changing on premises is best way to control a taxi.

- **Sgt Reynolds:** Most drivers are honest and hard working people. Tried locating a taxi medallion and found out that the cab didn't report to color scheme since November 2007.

- **Mark Gruberg:** Drive your own medallion should be left in tact.

- **Ruah Graffis:** Should keep shift changing on site.

- **Bill Mounsey:** Problem is long term leases and someone should look into that.

- **Mary Maguire:** What protection does medallion holder have for their drivers if they do not follow the rules?

- **Name:** UTW is in violation of the rules.

- **Peter Witt:** GTU should be addressing some of these issues. Long term leases, lots of drivers like them should ask why. 3 months notice sounds appropriate 30 days may not be realistic.

- **Tariq Mehood:** There are a lot of taxis and drivers park their personal vehicles which get broken into off the lot. GPS makes it easy to locate taxis.

- **Com Oneto:** The reason for the 30 day rule was placed on the books because the Commission needs to know where medallion holders are at all times.

- **Pres Gillespie:** 4.A.3 and 4.A.7 should be revetted by the Rules subcommittee. 4A.9 to be added to resolution on the waybill portion of that rule. 4.A.10 to be considered and drafted in a resolution. Drive your own rule, reso for modification, elimination and reduction.

- **Com Breslin:** 4.A.11 resolution to get rid of this rule and add the new amendments. Change of residence address even if they are vacationing. The last sentence should go to the color scheme section.

- **Com Slaughter:** Draw up a resolution as 2 separate resolutions eliminating 4.A.11.

- **Pres Gillespie:** 4.B.3 also needs a resolution merging the language.

7. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Deputy Director Thigpen:** Read Ms. Machen's staff update.

- **Sgt Reynolds:** Update

Commissioner Announcements:

Com Benjamin: Received a memo from Tom Owen and would like it to be agendized.

City Attorney: Allows a key personnel exemption to drivers.

Public Comment:

- **Carl Macmurdo-** Sup Elsbernd will be introducing an amendment to the key personnel legislation

- **Barry Korengold**: Drivers didn't get anything out of the gas and gate increase. Rec adding a .25 to drop.

8. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

- **Richard Hybels-** Make a rule that even numbered cabs are only allowed to the airports on certain days.

- **Mark Gruberg-** Relentless attacks at UTW over and over again. Legislation recently passed worst taxi legislation created.

- **Hansu Kim-** Update on debit card another time.

9. Adjournment – 11:35 pm

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- Taxi Meetings
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an Francisco Taxicab Commission

March 25, 2008

TAXICAB COMMISSION AGENDA

March 25, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

F
23
1
/25/08

1. Call to Order/Roll Call
2. Consent Calendar [ACTION]

SPECIAL ORDER 7:00 – 7:30 PM

3. Public Comment (Please limit public comment to items NOT on the agenda)
4. Consideration of FY 2009 Taxi Commission Budget [DISCUSSION]
5. Consideration of Proposed Senate Bill 1519 [INFORMATION AND DISCUSSION]
6. Staff Report and Commissioner Announcements [INFORMATION]
7. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
8. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the March 11, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

* None at this time.

C. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List#	Reason
1. Tooraj Shahlai	6-916	Driver is not interested in the Ramp Medallion Permit and states he is unable to complete the ramp driving requirement.

D. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Leon T. Le	6-416	Was granted 1 yr. time waiver to meet the full-time driving requirement, did not contact TXC after time waiver expired to turn in necessary documents; previously did not meet the 3 yr. driving requirement for year 2007.
2. James Mallon	6-537	Offer expired February 29, 2008; No response; did not submit the necessary applications.
3. Shui H. Hui	6-539	Offer expired February 29, 2008; No response; did not submit the necessary applications.

E. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
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F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Manjit Singh	1291	Luxor to Yellow

G. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Pardip S. Saini	1330	Yellow	Alt. Fuel	Cleared
2. Jahan Z. Khan	1331	National	Alt. Fuel	Not Cleared

H. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	DeSoto Cab
Medallion #s:	104, 110, 304, 717, 771
Duration of Campaign:	March 31, 2008- April 14, 2008
Advertiser:	Blue Coat Systems Inc.

Taxicab Commission Agenda - Regular Meeting
March 25, 2008, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 8, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Melaku Girma	6-405	DeSoto Cab	Alt. Fuel	Clearance Not Confirmed
2. Marcos Mora	6-514	Regents Cab	Alt. Fuel	Clearance Not Confirmed
3. Papinder Singh	6-894	Luxor Cab	Ramp	Clearance Not Confirmed
4. Manoch Amirehsani	6-904	Yellow Cab	Ramp	Clearance Not Confirmed

B. Commission Request to Calendar

Commissioner/ Request	Date of Request	Date of Hearing
President Gillespie		
Regular Updates from 311	July 24, 2007	
Yellow Cab business listings in phone book	July 24, 2007	
Administrative Tickets issued by Detail and Staff	Sept 11, 2007	
Review of dispatch changes of medallion holder	Oct 23, 2007	
Vice President Breslin		
Application process for taxi stands with DPT.	April 25, 2006	Planned Hearing Date
Request to calendar enforcement of illegal limousines	September 26, 2006	
Information on Taxi Wrap fund	February 12, 2008	
Would like an MTA update	February 26, 2008	
Update on Peter Witt	February 26, 2008	
Commissioner Paek		

Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs.	September 26, 2006	
What images are appropriate inside and outside of taxis	May 22, 2007	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	Planned Hearing Date
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	Rules Subcommittee Item

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SFMTA | Municipal Transportation Agency

SFMTA home > About Us > Meetings > Taxicab Commission > March 25, 2008

TAXICAB COMMISSION MINUTES

March 25, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Acting Executive Director Jordanna Thigpen, Executive Secretary Tamara Odisho – Taxi Commission, Sergeant Ron Reynolds- Taxi Detail, City Attorney Tom Owen

Jordanna Thigpen, Acting Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

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1. **Call to Order/Roll Call**

2. **Consent Calendar [ACTION]**

Public Comment:

- **Jim Gillespie:** Knew Mr. Khan as a lease driver at DeSoto. Very happy to see him receiving his medallion.

- **Mohammed Khan:** Has known Mr. Khan and knows he has a good driving record.

- **Com Oneto:** Motion to approve items A- Minutes, C- Tooraj Shahlai removal from the ramp list for being ineligible, D- Leon Le, James Mallon and Shui Hui removal form PC&N list for failure to respond, E- Souleiman Ghali grant time waiver, G2- Jahan Khan grant medallion, and H- DeSoto cab approval of taxi wrap

- **Ayes: Gillespie, Breslin, Benjamin, Oneto, Pack, Slaughter** **No: 0**
Absent: 0 **Recuse: 0**

- **Com Oneto**: Motion to approve item F1- Manjit Singh cs change from Luxor to Yellow

- **Com Pack:** 2nd motion.

- **Ayes: Breslin, Oneto, Pack, Slaughter** **No: 0**
Absent: 0 **Recuse: Gillespie, Benjamin**

· **Com Oneto:** Motion to grant medallion item G1- Pardip S Saini

· **Com Paek:** 2nd motion

· **Ayes: Breslin, Benjamin, Oneto, Paek, Slaughter No: 0**
Absent: 0 **Recuse: Gillespie**

SPECIAL ORDER 7:00 -7:30PM

3. Public Comment (Please limit public comment to items NOT on the agenda)

· **Barry Taranto:** Wants update on Commission and MTA merger. Baseball season home game begins on April 7. Hotel Griffen and Stanford Court have a lot of illegal limos and should be addressed. Entertainment commission listing many new events that the commission should relay to drivers.

· **Charles Rathbone:** Wishes Heidi Machen the best.

· **Hansu Kim:** Read letter signed by all taxi representatives supporting paratransit legislation approved by the Board of Supervisors. Happy the industry came together on this.

· **Carl Macmurdo:** Commission should look into the amount of money spent on Bretholtz hearing.

· **Zuhair:** Putting more cabs on the street will resolve the illegal limos issue. Peak-time medallions will be hard to regulate.

· **Ibrahim:** Received a parking ticket for parking in a zone while helping a disabled person.

· **Ruah Graffis:** Sherri Longest was found dead, long time driver and dispatcher at National Cab.

4. Consideration of FY 2009 Taxi Commission Budget [DISCUSSION]

· **Acting Director Jordanna Thigpen:** This budget is being presented in case the Commission does not merge with the MTA. This budget and the MTA budget are almost the

same with minor changes.

· **Com Slaughter:** Would like a more precise understanding of the budget. City attorney budget has a very high increase from last year, who recommended the increase.

- **Acting Director Thigpen:** We have a deficit and will bring that information before the commission at our next meeting. Does not have exact figures at this hearing.

- **Com Slaughter**: Would be helpful and would like to know what caused the increases.

- **Pres Gillespie:** Has the same questions as Com Slaughter and if we need to go to closed session, we would be willing to do this.

- **Com Paek:** Need a plan on how we will deal with cases like this in the future.

- **Com Breslin:** Wants to know how the hearing officer budget will be dealt with.

- **Acting Director Thigpen**: Will have a lower cost load due to the MTA merger.

- **Com Breslin:** We only allocated for one more investigator, how is there another position being appointed? Would like staff to use certified mail more often. What lead to

  contracting out the survey? What's the value of televising the meetings?

- **Acting Director Thigpen:** We have split the investigator budget into two positions. Staff spent a lot of time and late hours working overtime for last year's survey, and cannot

  afford to lose staff out of the office. Meetings should be televised for the public that cannot attend the meetings but wishes to be informed.

- **Pres Gillespie:** Would like to keep ramp fees low to attract people to the program.

- **Com Breslin:** Cost recovery should not go to one segment of the industry ie medallion holders.

Public Comment:

- **Hansu Kim:** Where's the accountability of this office and this staff? Where's the priorities on cases? Outrageous increases in fees. Egregious violators not being taken down.

- **Jim Gillespie:** Increased fees for the investigator and attorney budget need to be revised. Prop K amendment will enable an exit strategy for disabled medallion holders.

- **Barry Taranto:** There are a lot of holes in the budget. There should be a closed session regarding this city attorney budget. Should look at last years expenses to compare to the next fiscal year budget as opposed to the predicted 2009 budget.

- **Carl Macmurdo**: Support the comments made by all of the previous speakers. Should receive a detailed accounting on the city attorney lawsuit.

- **Anne McVeigh:** Opposes any and all increases in the budget affecting the medallion holders. Accountability on surveys should be looked into. 40k for a restraining order is very expensive.

- **Arthur:** Agrees with previous speakers and is upset at Prop K and law was written to keep Yellow out of business. Spending money on lawsuits to hurt people who are injured and sick is wrong.

- **Charles Rathbone:** Enforcement is a high priority and hearing office should be returned. NYC brands TLC logo and makes money, commission should look at branding.

- **Sgt Ron Reynolds:** 2007 was a productive year; two color schemes were shut down and a lot of time was put into that work. There were medallions taken away last year. The expensive case took a lot of time and needed the attention. No money was used for the 49ers issue but it was addressed.

- **Bill Mounsey:** Why not use the business license tax and A card funds towards the budget.

- **Mary McGuire:** No record in the Board of Appeals file for costs on Brettholz case.

- **Richard Hybels:** What's the quality of the work from the City Attorney? Joe Breall still has his medallion.

- **Mark Gruberg:** Expenditures may have been justified but the Commission has an oversight role and as the year goes on it's the responsibility of staff to bring this to the Commission. Color schemes especially larger companies get off easy on fees, room for increase.

- **Ruah Graffis:** Increase of permit holder fees should be used to create an exit strategy for the holders who want to leave the industry.

- **Acting Director Thigpen:** Taxi wrap fund has been collected and accruing since 2003. Board of Supervisors will only be allowed to allocate the wrap funds, and allocate unappropriated funds that the Commission possesses, to the budget if needed. There was a resolution that went before the board on how to allocate the wrap funds but was sent back to the commission and has not been resubmitted.

- **Com Slaughter:** Would like expenditures from prior years and a closed session meeting to go over the budget.

- **Pres Gillespie:** Color scheme cost is not very high should look into that increase.

5. Consideration of Proposed Senate Bill 1519 [INFORMATION AND DISCUSSION]

- **Acting Director Thigpen:** Overview of the item. Enhance CPUC budget investigators since they only have 8 for the state.

- **City Attorney:** Overview of the item and possible issues.

- **Com Breslin:** What are the next steps for this?

- **City Attorney:** In order to make a proposal the Commission would have to present a resolution to the state representatives.

Public Comment:

- **Jim Gillespie:** There are advertisements in the phone company and there are no laws against someone who is illegally publishing a number. This bill would require these companies to provide their license number and if they are found illegal the phone company could pull the ads.

- **Charles Rathobone:** Luxor supports this legislation and urges other operators to weight in on this.

- **Hansu Kim:** Helped write the language, knows it is not perfect.

6. Staff Report and Commissioner Announcements [INFORMATION]

Commissioner Announcements:

- **Com Benjamin:** Request a .25 increase on the meter.

- **Com Paek:** Update on health insurance for drivers, central dispatch and would like a report on driver training and if it needs to be reviewed.

- **Pres Gillespie:** Updates Com Paek on requests. But would like an update on driver training.

- **Com Breslin:** Westin St. Francis hotel event on April 2, from 9- 9:30pm. Earth Hour information to be given to drivers to inform the public.

- **Com Oneto:** Discussion on long term leases needs to be addressed.

- **Pres Gillespie:** LA taxi regulators visited with staff and BOS voted to approve paratransit debit card program. Amendments to Daly/Ma legislation recommended by Commission were adopted. Clean taxi vehicle guide meeting went well.

- **Sgt Reynolds:** Update.

Public Comment:

- **Barry Taranto:** Heidi Machen was a good director. Happy Com Paek brought up the issue of health insurance, very expense. 25c increase is not enough and tips are not given.

· **Bill Mounsey:** Central dispatch is a good idea and should be addressed. Many passengers are in favor of it.

· **Mark Gruberg:** Welcomes Acting Director and adds pleasant comments about Heidi during her tenure. Appeal by UTW vs Commission on issuance of new medallions will be heard next week.

· **Hansu Kim:** Wishes Jordanna well during her tenure. Commission should think about more outreach to the industry before things are scheduled.

· **Tariq Mehmood:** Two healthcare plans, should pick the least fancy to at least have something to offer the drivers. Flag drop should be included as gas prices rise.

7. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

· **Rich Hybels:** Congratulates Heidi for all her work. Ramp vans should be allowed to go to the airport on even/odd days. Gas prices high and should get an increase. Meeting today with Big Dog dispatch and part of the problem is DPT writing tickets.

· **Arthur:** Hopes in the future there will be a law to help the city and drivers to amicably leave the industry.

· **Name:** UTW issue with Welch medallion.

· **Tariq Mehmood:** Roberto Martinez died at Yellow cab and raised $3100 to his family for a dignified funeral. Beginning another fundraiser for other drivers. Personal attacks are being brought up in newsletters. Three layer rule being violated.

· **Mary Maguire:** Public likes hybrid and there shouldn't be an extra charge for hybrid vehicles.

· **Mark Gruberg:** Photo of signing of legislation with Tariq Mehmood in the photo. Three layer rule vague and needs to be reworked. Yellow cab subleases violating the three layer rule. A color scheme will be charging over cap and commission should crack down on this.

· **Pres Gillespie:** Moment of silence for the deceased.

8. Adjournment

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San Francisco Taxicab Commission

April 8, 2008

TAXICAB COMMISSION AGENDA

April 8, 2008 at 5:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

1. Call to Order/Roll Call
2. Closed Session On Litigation:
   a. Public Comment on all matters pertaining to the closed session.
   b. Vote on whether to hold closed session to confer with legal counsel. (San Francisco Administrative Code sec. 67.10(d).) [ACTION]
   c. Closed session pursuant to Government Code sec. 54956.9 and San Francisco Administrative Code sec. 67.10(d).
   d. Conference With Legal Counsel – Existing Litigation [Action]

      (a) *Slone v. Taxi Commission*;

      U.S. District Court, N.D. Cal. No. C 07 335 EDL

      [City as defendant]

      (b) *United Taxicab Workers v. Yellow Cab Cooperative*;

      San Francisco Superior Court No. 457-561

      [City as intervenor-plaintiff]

      (c) *Breall v. Taxi Commission*;

      San Francisco Superior Court Nos. 460-436, 505-798

      [City as defendant]

      (d) *Basada v. City and County of San Francisco*;

      U.S. District Court, N.D. Cal. No. C 07 4149

      [City as defendant]

      (e) *Yuen v. Taxi Commission*;

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[City as defendant]

(f) *Cohen v. Taxi Commission*;

San Francisco Superior Court No. 505-919

[City as defendant]

(g) *Wong v. Taxi Commission*;

San Francisco Superior Court No. 506-103

[City as defendant]

(h) *Hollis v. Taxi Commission*;

San Francisco Superior Court No. 471-116

[City as defendant]

e. Reconvene in open session:

(a) Possible report on action taken in closed session. (Government Code sec. 54957.1(a)(2) and San Francisco Administrative Code sec. 67.12(b)(2).) [ACTION ITEM]

(b) Vote to elect whether to disclose any or all discussions held in closed session. (San Francisco Administrative Code sec. 67.12(a).) [ACTION ITEM]

3. The Proposed SFMTA/Taxi Commission Merger [INFORMATION]
4. Staff Report and Commissioner Announcements [INFORMATION]
5. Consideration of FY 2009 Taxi Commission Budget [DISCUSSION and ACTION]

SPECIAL ORDER 8:30 – 9:00 PM

6. Public Comment (Please limit public comment to items NOT on the agenda)
7. Consent Calendar [ACTION]
8. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Douglas Wong: [ACTION]

- **Douglas Wong:** Consideration of Hearing Officer's decision regarding continuation of summary suspension of P-44 Permit # 050561 and P-16 Permit # 180, issued pursuant to San Francisco Municipal Police Code Section §1090(c) for alleged violations of Penal Code §§ 12020(a)(4) (carrying concealed dirk or dagger); 12025(a) (carrying a concealed firearm), and 12031(a)(1) (carrying a loaded firearm by carrying it in a public place or public street).

9. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Bay Cab: [ACTION]
    - **Bay Cab:** Consideration of Hearing Officer's decision regarding failure to provide worker's compensation and violation of Rules 5.A.3, 5.H.2, 5.H.3, 5.K.2, 5.H.16.
10. Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* 4.A.7, 4.B.1, 4.B.3, AND 5.G.2.a. [ACTION]
11. Consideration of Resolution to Support Senate Bill 1519 [ACTION]
12. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
13. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the March 25, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

Mustafa Abo	Bruno Invernizzi Camara Faria	Kefyalew Woldemariam	Oliver Joseph Slyvester II
Abdella Sifaf	Chernet Shoarega	Kevin San	Oliver Lee
Abdul Khaliq	Eduardo Lauder	Lawrence Miller	Omar J Wooten
Ahmad Farid Ahmadi	Fitsum Asres	Louay Faissal	Ousseynou Diop
Ali Hachani	Fitsum Okbayes	Magda Harris	Remy Pages
Angad Singh	Gilson Ferreira Araujo	Marcus Lee	Saief Oran
Arif Borou	Henry Gock	Maung Soe	Sam Saleh
Arshad Mahmood	Ivan Nguyenvu	Miguel Qureshi	Samir Elsaidi
Ashish Adhikari	James Lee	Muslim Alhakim	Sergio Silva
Assefaw Matiwos	Jasbir Sond	Nagi Y Elhag	Steven Burkhart
Aung Kyaw Zin	Joao Alves Da Silva	Nghia Dihn	Tak Wei Yu
Aung Nay Linn	John Hau Kan	Ngoc V Nguyen	Tawfig Alghazali
Brice Robert Glenn			

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Melaku Girma	585	DeSoto Cab	Regular	Clearance Not Confirmed
2. Marcos Mora	135	Regents Cab	Regular	Clearance Not Confirmed
3. Papinder Singh	9049	Luxor Cab	Ramp	Clearance Not Confirmed
4. Manoch Amirehsani	9062	Yellow Cab	Ramp	Clearance Not Confirmed
5. Demian Volynsky	9018	Black & White	Ramp	Cleared

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 22, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Teresa Callau	1001	Bay Cab to Luxor Cab
2. Philip Henry Welch IV	690	Regents to Green Cab

B. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
President Gillespie		
Vice President Breslin		
Information on Taxi Wrap fund	February 12, 2008	4/22/8
Would like an MTA update	February 26, 2008	4/8/8
Update on Peter Witt/summary suspensions	February 26, 2008	
Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Health Care for drivers	March 25, 2008	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		

Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	5/13/8
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	6/10/8
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Staff		
Taxicab Safety Camera Program		5/13/8
Final Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		5/27/8 and 6/10/8
Update on neighborhood taxi stands		5/27/8

Public Comment may be limited to less than three minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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TAXICAB COMMISSION MINUTES

April 8, 2008 at 5:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

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1. **Call to Order/Roll Call**
2. **Closed Session On Litigation:**
   a. **Public Comment on all matters pertaining to the closed session.**

- **Name**: Taxi Commission should have an ombudsman
- **Charles Rathborn**: City should withdraw from the UTW lawsuit since the BOS already ruled on this legislation.
- **Mark Gruberg**: Why were some permit revocation cases delayed for over several years?
- **Barry Taranto**: Taxi Commission hasn't heard of some of these cases that are being brought before the Commission.
- **Mike Spain**: Most of these ADA cases under Noami Little had a understanding. This lawsuit is costing the industry a lot of money.

   b. **Vote on whether to hold closed session to confer with legal counsel. (San Francisco Administrative Code sec. 67.10(d).) [ACTION]**

- **Com Pack**: Motion to go into closed session
- **Com Slaughter**: 2nd motion.
- **AYES: Benjamin, Breslin, Gillespie, Pack, Slaughter, Oneto NO: 0**

ABSENT: 0 **RECUSED: 0**

c. **Closed session pursuant to Government Code sec. 54956.9 and San Francisco Administrative Code sec. 67.10(d).**

d. **Conference With Legal Counsel – Existing Litigation [Action]**

(a) *Slone v. Taxi Commission*;

U.S. District Court, N.D. Cal. No. C 07 335 EDL

[City as defendant]

(b) *United Taxicab Workers v. Yellow Cab Cooperative*;

San Francisco Superior Court No. 457-561

[City as intervenor-plaintiff]

(c) *Breall v. Taxi Commission*;

San Francisco Superior Court Nos. 460-436, 505-798

[City as defendant]

(d) *Basada v. City and County of San Francisco*;

U.S. District Court, N.D. Cal. No. C 07 4149

[City as defendant]

(e) *Yuen v. Taxi Commission*;

San Francisco Superior Court No. 505-920

[City as defendant]

(f) *Cohen v. Taxi Commission*;

San Francisco Superior Court No. 505-919

[City as defendant]

(g) *Wong v. Taxi Commission*;

San Francisco Superior Court No. 506-103

[City as defendant]

(h) ***Hollis v. Taxi Commission*;**

San Francisco Superior Court No. 471-116

[City as defendant]

e. Reconvene in open session:

(a) Possible report on action taken in closed session. (Government Code sec. 54957.1(a)(2) and San Francisco Administrative Code sec. 67.12(b)(2).) [ACTION ITEM]

(b) Vote to elect whether to disclose any or all discussions held in closed session. (San Francisco Administrative Code sec. 67.12(a).) [ACTION ITEM]

- **Com Slaughter:** Motion to not disclose closed session information.
- **Com Oneto:** Second motion.
- **AYES: Benjamin, Breslin, Gillespie, Paek, Slaughter, Oneto NO: 0**

ABSENT: 0 **RECUSED: 0**

3. **The Proposed SFMTA/Taxi Commission Merger [INFORMATION]**

- **Wade Crowfoot, Mayor's Representative**: Overview of merger
- **Jordanna Thigpen, Acting Executive Director**: Overview with power point presentation
- **Com Breslin**: What will the merger committee due with the Rules resolutions?
- **Wade Crowfoot**: Will take them into consideration when streamlining the rules.
- **Com Breslin**: Will the Commission still be self funded?
- **Wade Crowfoot**: Yes.

Public Comment:

- **Hansu Kim**: This is an issue that should have been addressed by the industry before this was heard today.
- **Emil Lawrence**: The amount a driver earns varies annually.
- **Barry Taranto**: Staff keeps using the word merger, this is a folding of the Commission into the Merger.

- **Carl Macmurdo**: Agrees with Hansu Kim and Robert Cesana that there are no Taxi Commissioners or members of the public on the current merger committee.

- **Mike Spain**: Driver income should be outlined in the report.

- **Jim Gillespie**: Collaboration should be included on all taxi issues including this merger.

- **Bashir Rahimi**: Everyone's doing a good job.

- **Michael Kwok**: There is no public representation included on this merger. Unfortunate that the Commissioners only have 3 months to include their input.

- **Marty Smith**: Committee should include the industry and the commission. The industry pay the bills.

- **Bill Mounsey:** Beware when you are told you are doing a good job or else why would they want to disband the commission? No one but the industry, drivers and the commission understand the industry.

- **Mark Gruberg:** Proposition A did not give permission to allow the taxi commission to be folded into the MTA, it was already allowed. The merger is not going to represent drivers and it should.

- **Peter Witt:** Doesn't wish that the Commission folds under although can see some changes needed.

- **Tariq Mehmood:** Believes there are other reasons that this is happening than the underlying.

- **Acting Director Thigpen**: Follow-up comments to public comments. Would like to see the creation of a advisory board.

- **Wade Crowfoot:** Will engage details of the merger to the industry.

- **Pres Gillespie:** Would like to have someone from MTA to support this. Collaboration very important and would like to get the most input possible from the public and industry.

- **Com Breslin:** Some questions pending were answered and is fully committed to see the Transit First Plan and needs to be at the table for the collaboration.

- **Pres Gillespie:** Who is the invited to the April 29th meeting?

- **Acting Director Thigpen:** This will be a public workshop for the MTA Board. The agenda is still being developed.

- **Wade Crowfoot:** Would like to discuss with Pres Gillespie this week to hold a joint meeting on integrating the Taxi Commission into the MTA.

4. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Acting Director Thigpen:** Staff update.
- **Sgt Reynolds:** Update.
- **Pres Gillespie:** Drivers will not go to At&t park because there's only one way in and out.
- **Com Breslin:** How are we doing on background checks?
- **Sgt Reynolds:** It is a slow process, will be contacting DOJ to follow-up.

Public Comment:

- **Barry Taranto:** Ball game ran late and it took long time to get to the ball park. Hopes with the enforcement there will be a better way of serving the community.
- **Emil Lawrence:** Sgt Reynolds doing a great job. Are the 1,500 A card holders still driving? Why are there so many i.d.s that drivers need to carry around.
- **Carl Macmurdo:** Commends Sgt Reynolds on talks with CHP on warning as opposed to moving violation.

5. **Consideration of FY 2009 Taxi Commission Budget [DISCUSSION and ACTION]**

- **Acting Director Thigpen:** Overview of budget.
- **Com Slaughter:** There was a decrease in the city attorneys lawsuit but there was an increase with the Taxi Detail budget.
- **Sgt Reynolds:** More funds are needed to pay for enforcement; illegal limos, at&t park, candle stick park. Currently can only put in a two man team once a week. We are losing a person and with this increased budget we can have enforcement on Friday and Saturday night for an overtime budget.
- **Pres Gillespie:** Will this pay for another position?
- **Sgt Reynolds:** This is for an overtime budget for officers patrolling illegal limos, GTU would like to inspect cabs and CHP would like to work on the corridor.
- **Com Slaughter:** Wants assurance that every penny will be used for enforcement.
- **Com Benjamin:** I don't think the MTA will be using the detail and we should be saving money for the medallion holders.

- **Acting Director Thigpen:** Taxi detail will be preserved when moving to the MTA. The budget was configured by ratios.

- **Com Slaughter:** Wants to discuss litigation budget and wants to see the actual figures from previous years. Believes that the litigation budget can be approximately $200k.

- **Pres Gillespie:** There are outstanding questions on the litigation budget and believes $200k is reasonable.

- **Com Slaughter:** Whatever is decided on the budget, we aren't in a position to say what the fees are since things may change.

- **Com Benjamin:** What's the SFGTV cost after the merger?

- **Acting Director Thigpen:** The 25k would be backed out of the fees.

- **Com Breslin:** We don't have the figures from last year, so I don't feel comfortable with creating a fee list. Would like the fees to be distributed across the board.

Public Comment:

- **Hansu Kim:** The fees pay for the budget of this committee. When the budget increases the fees increases as well.

- **Barry Taranto:** Extra cost for the Detail budget will go towards training and approves increases for that. There are no comparisons from last year.

- **Robert Cesana:** If you increase the budget, then you will increase the meter since it will occur.

- **Mike Spain:** This commission has not been modest in its increase. The fees continue to grow out of proportion.

- **Mary McGuire:** Would like to know how much was spent last year.

- **Mark Gruberg:** Commission has been underfunded and understaffed. Companies should bear the cost not the drivers.

- **Carl MacMurdo:** There's been no audit and no accountability on last year's budget. Public safety is big issue since Commission is going after disabled medallion holders.

- **Com Slaughter:** Strike increase in Detail budget and attorneys budget. Recovery should be placed on everyone but the drivers. Finds it difficult to vote on the budget without seeing figures from the last few years.

- **Com Oneto:** Doesn't feel they have the information to make a decision. Would like to recommend using the budget from last year.

- **Com Breslin:** The salaries will be going up so should cover that.

- **Pres Gillespie:** Motion to remove the 2nd investigator position, allow for annual salary increase and reduce the city attorney's budget to $200. Scenario three should be applied.

- **Com Oneto:** The color scheme fee for the number of medallions is not equitable. And with the gas and gate increase, the cost to the companies should increase. Second's motion.

- **AYES: Benjamin, Breslin, Gillespie, Paek, Slaughter, Oneto NO: 0**

ABSENT: 0 **RECUSED: 0**

SPECIAL ORDER 8:30 – 9:00 PM

6. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Charles Rathbone:** Color scheme changes shouldn't be allowed to lower performing companies.

- **Robert Cesana:** Commission makes it difficult for independent medallion holders to make money.

- **Emil Lawrence:** There should be an auditor in the taxi commission office.

- **Barry Taranto:** Gas is now $3.71/gallon and gates are increasing this week. Would like to see a break down of the money spent on the Bretholtz case. The add money machine at the airport is eating money and should be addressed.

- **Bill Mounsey:** Has been seeing gas, illegal limos and cabs doubling, but the population is not. Is MTA going to pay the drivers?

- **Mary McGuire:** A benefit of being a medallion holder is having the freedom of moving around to different companies. The commission should not limit this.

7. **Consent Calendar [ACTION]**

- **Acting Director Thigpen:** Continue item C5- Damein Volynsky to call of the chair, sever items C3 and C4 for recusals.

Public Comment: None

- **Pres Gillespie:** Continue item C5- Damein Volynsky to call of the chair

- **Com Oneto:** Motion to approve A- minutes, B- public passenger vehicle driver permits, Motion to grant a medallions to C1- Melaku Girma and C2-Marcos Mora

- **Com Slaughter:** Second motion.

· **AYES: Breslin, Benjamin, Gillespie, Oneto, Pack, Slaughter NO: 0**
ABSENT: 0 RECUSE: 0

· **Com Oneto:** Motion to grant a medallion to C3- Papinder Singh

· **AYES: Breslin, Gillespie, Oneto, Pack, Slaughter NO: 0**
ABSENT: 0 RECUSE: Benjamin

· **Com Pack:** Motion to grant a medallion to C4- Manoch Amirehsani

· **Com Oneto:** Second motion.

· **AYES: Breslin, Benjamin, Oneto, Pack, Slaughter NO: 0**
ABSENT: 0 RECUSE: Gillespie

8. **Consideration of Hearing Officer's Recommendations in <u>Taxi Commission v. Douglas Wong</u>: [ACTION]**

· **Douglas Wong:** Consideration of Hearing Officer's decision regarding continuation of summary suspension of P-44 Permit # 050561 and P-16 Permit # 180, issued pursuant to San Francisco Municipal Police Code Section §1090(c) for alleged violations of Penal Code §§ 12020 (a)(4) (carrying concealed dirk or dagger); 12025(a) (carrying a concealed firearm), and 12031(a)(1) (carrying a loaded firearm by carrying it in a public place or public street).

· **Terrance Hallinan:** Mr. Wong is a small man working in a risky business. He didn't threaten anyone or assault anyone, but rather only possessed the weapons. Learned a lesson and won't do this again and is facing a criminal case. If he is convicted he will be penalized. He will not be repeat what he has done.

· **Pres Gillespie:** Why was he near a school?

· **Mr. Hallinan:** He lives near the school, never was able to get in the cab. Afraid of his safety and will be punished by the courts and doesn't think it is fair for the taxi commission to also punish him.

· **Com Oneto:** Has there any psychological testing been done?

· **Mr. Hallinan:** None.

Public Comment:

· **Bill Mounsey:** Has been a driver for 16 years and has been in this kind of situation before. But knows the rules and it is against the rule to carry a gun.

· **Com Oneto:** Doesn't like the idea that he was carrying a gun in his belt and was close to a school.

· **Com Benjamin:** Shouldn't encourage any driver to carry a weapon. We should uphold suspension of his driving privileges.

· **Com Paek:** When learning to become a taxi driver, he should remember that it is illegal to carry the weapon.

· **Com Slaughter:** Appreciates comments of fellow commissioners and if the suspension is not upheld, there is a message that will be sent to the industry. Motion to uphold suspension of medallion and A card.

· **Com Benjamin:** Seconds motion.

· **AYES: Benjamin, Gillespie, Paek, Slaughter, Oneto NO: 0**

ABSENT: Breslin RECUSED: 0

9. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Bay Cab: [ACTION]

· **Bay Cab:** Consideration of Hearing Officer's decision regarding failure to provide worker's compensation and violation of Rules 5.A.3, 5.H.2, 5.H.3, 5.K.2, 5.H.16.

· **David Green, Attorney for Bay Cab:** Bay cab has opened a policy of workers' compensation and notice has been sent out to all medallion holders that they are required to either purchase workers' compensation through their color scheme or their own policy. All documents were produced even after Mr. Brodnax said they were not. Decision should be denied on MPC 1188, hearing officer is required to give findings within 10 days. Rules and regulations of workers' compensation are not legal. Rules come from legislation. MPC does not have workers' compensation law, it says they must follow state law, and they have no employees.

· **Acting Director Thigpen:** Mr. Green is correct on stating that MPC 1188. However, Bay cab worked to the advantage of other companies since they didn't comply and saved money others invested on workers compensation.

· **David Green:** No case in CA states a color scheme holder is an employer. A color scheme holder could be an employer but after prop k, the individual holder would be their own business. New laws don't reflect how the taxi industry operates in San Francisco.

Public Comment:

· **Hansu Kim:** Agrees with the attorney. Has been asking the Commission to review workers' compensation policy and define it clearly pertaining to taxi companies.

· **Charles Rathbone:** Commission should re-hear the case since the other companies have been paying workers' compensation for years.

· **Emil Lawrence:** Workers' compensation rule should be enforced. The commission should uphold the decision for not having workers' compensation. They also have the wrong phone number on their color scheme.

· **Mark Gruberg:** On behalf of UTW the Commission should uphold the Commissions decision. There is a reasonable interpretation of the law.

· **Com Slaughter:** Motions to uphold the hearing officer's findings.

· **Com Oneto:** Second motion.

· **AYES:** Benjamin, Gillespie, Paek, Slaughter, Oneto **NO: 0**

· **ABSENT:** Breslin **RECUSED:** 0

10. **Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* 4.A.7, 4.B.1, 4.B.3, AND 5.G.2.a. [ACTION]**

· Continued to April 22, 2008

11. **Consideration of Resolution to Support Senate Bill 1519 [ACTION]**

· **Acting Director Thigpen:** Review of SB 1519

· **Pres Gillespie:** Wants to eliminate illegal limousine language to not confuse the meaning of the resolution. Since SB 1519 is not supporting language for limousines.

· **Acting Director Thigpen:** The illegal limousine language has is separate from supporting the bill and only keep it in the resolve clause to be able to plan

Public Comment:

· **Hansu Kim:** Supports the bill.

- **AYES:** Benjamin, Gillespie, Paek, Slaughter, Oneto **NO: 0**

ABSENT: Breslin **RECUSED:** 0

12. **Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)**

- **No public comment due to the lack of a quorum.**

13. **Adjournment – 11:45pm**

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April 22, 2008

TAXICAB COMMISSION AGENDA

April 22, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consent Calendar [ACTION]
4. Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* 4.A.7, 4.B.1, 4.B.3, AND 5.G.2.a. [ACTION]

SPECIAL ORDER 7:30 – 8:00 PM

5. Public Comment (Please limit public comment to items NOT on the agenda)
6. Taxi Commission's Taxi Wrap Fund [INFORMATION AND DISCUSSION]
7. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Eric Brill: [ACTION]
    - Consideration of Hearing Officer's decision regarding continuation of summary suspension of P-44 Permit # 63024.
8. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Enazzer: [ACTION]
    - Consideration of Hearing Officer's decision to revoke P-16 Permit # 431 for Violation of the Prop. K Full Time Driving Requirement, MPC § 1081(b) for 2001, 2005, and 2006; and violation of MPC § 1138, accurate and legible waybills.
9. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
10. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the April 8, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit to:

* None at this time.

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Teresa Callau	1001	Bay Cab to Luxor Cab
2. Philip Henry Welch IV	690	Regents to Green Cab

D. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	**Medallion #:**	**Color Scheme:**	**Medallion Type:**	**Criminal Background Check:**
1. Demian Volynsky*	9018	Black & White	Ramp	Cleared

* Continued from 4/8/2008 Meeting

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 13, 2008 hearing.

A. Consideration to change dispatch companies:

Color Scheme	Change:
1. Green Cab	Regents Dispatch to Citywide Dispatch

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Frederich Rerat	6-540	Yellow Cab Co-Op	Regular	Not Cleared
2. Taj D. Shah	6-545	Yellow Cab Co-Op	Regular	Not Cleared
3. Albert R. Sugabo	6-542	Yellow Cab Co-Op	Regular	Not Cleared

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Young K. Yi	6-544	Does not meet the driving requirement per MPC 1121(b); Only drove 2 years full-time: 2007 and 2008

D. Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* Rules 5.A.3 and 7.A.6 and Rule 5.A.10.

E. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
President Gillespie		
Vice President Breslin		
Information on Taxi Wrap fund	February 12, 2008	4/22/8
Update on Peter Witt/summary suspensions	February 26, 2008	

Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	5/13/8
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	6/10/8
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Staff		
Taxicab Safety Camera Program		5/13/8
Final Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		5/27/8 and 6/10/8
Update on neighborhood taxi stands		5/27/8

Public Comment may be limited to less than three minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7
R. JAMES SLAUGHTER, ext.4

JORDANNA THIGPEN, ACTING EXECUTIVE DIRECTOR

TAXICAB COMMISSION MINUTES

April 22, 2008 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Acting Executive Director Jordanna Thigpen, Executive Secretary Tamara Odisho Benjamin – Taxi Commission, Sergeant Ron Reynolds- Taxi Detail, City Attorney Tom Owen

Jordanna Thigpen, Acting Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

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1. **Call to Order/Roll Call**

- **Present: Breslin, Gillespie, Oneto, Paek** **Absent: Benjamin, Slaughter**

2. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Acting Director Thigpen**: Update on staff report.
- **Sergeant Reynolds**: Update of third quarter SFPD Budget Report

Commissioner Announcements:

- **Com Breslin**: Rules committee will be continued to a later date in the month of May.

Public Comment:

- **Robert Cesana**: Commission has promised to have a service meeting but have not held it yet.
- **Barry Taranto**: Has attended many meetings at AT&T park and should be asked for questions.
- **Mike Spain**: Limos are using white zones as their parking lots. And we need police to regulate these.
- **Carl Macmurdo**: Using the screen at AT&T park is a good idea. There should be a white zone for wheelchairs at AT&T park.
- **Emil Lawrence**: NYC regulates limos and taxis. In this city there is no regulation of limos and that's why they continue to pick up here.
- **Bill Mounsey**: Friend picked-up a limo from a hotel and bellman was trying to put him in a limo. Do police know about gypsy cabs because they are not pulling them over.
- **Richard Hybels**: There should be a meter increase because gas prices are out of control.
- **Michael Kwok**: Approves increase in meter to relieve gas increases, but by how much do you increase it since oil is in high demand worldwide.
- **Emil Lawrence**: The public doesn't know where white zones are, and there's no enforcement of who can park in the white zones.

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3. **Consent Calendar [ACTION]**

- **Acting Director Thigpen:** Recommends severing item D.
- **Pres Gillespie:** Does not want to sever item D since the PCC recommended this applicant but would like to sever item C2.
- **Public Comment:**
- **Tariq Mehmood:** Medallion #690 is violating the 3 layer rule, by accepting this color scheme change the commission is allowing for multiple layers.
- **Name:** UTW is using #690 and breaking the 3 layer rule.
- **Mohammed Booya:** Law only allows 3 layers and UTW is operating under 5 layers.
- **Mark Gruberg:** Moving medallion 690 to Green Cab because we were made aware by the Taxi Commission that we violated the 3 layer rule and needed to move the medallion from Regents since Green.
- **Com Breslin:** On the application there was no reason stated for the color scheme change.
- **Mark Gruberg:** Mr. Welch filled out that application.
- **Barry Taranto:** Commission staff did a lot of work on the ramp taxi applicant who has a lot of discrepancies. Commission should monitor his waybills.
- **Giovanni:** Law only allows three layers medallion 690 was under 5 layers.
- **Robert Cesana:** Someone other than Mr. Welch is collecting the money from the 690 medallion.
- **Name:** This is a routine matter of colors scheme change but for others it is an opportunity to make trouble for Green Cab.
- **Name:** Green cab board and UTW are not affiliated although there are some members of UTW who sit on the Green Cab board.
- **Mike Spain:** UTW won a right to use the Welch medallions and there is a relationship between UTW and Green Cab. Why isn't Mr. Welch here?
- **Ruah Graffis:** Suddenly people are claiming there are 5 layers when while the medallion was under Regents they claimed it was 4 layers. They should make up their mind.
- **Thomas George Williams:** Once the color scheme is approved, Green Cab will be in compliance with the rules.
- **Com Paek:** Motion to approve A- Minutes, C1- CS change for Teresa Callan and D1- granting a ramp medallion to Demian Volynsky.
- **Com Oneto:** 2nd motion
- **AYES: Breslin, Gillespie, Oneto, Paek** **NO: 0**
  ABSENT: Benjamin, Slaughter **RECUSE: 0**

- **Com Breslin:** Would like to see the applications filled out more properly in the future.
- **Com Oneto:** Who filed the initial lawsuit and whose behalf it was filed and who shares in those profits.
- **Acting Director Thigpen:** Overview of the lawsuit which was brought by UTW regarding the Welch medallions.
- **Mark Gruberg:** Will be using this medallion in the company and used it until we are able to accommodate the driver and advance the vision of the company. There are disability questions that are at stake and we don't want to go into it further.
- **Com Oneto:** Please answer the questions I've asked. I'm asking the legitimacy of Green all together.
- **Mark Gruberg:** Zare was the driver listed in the lawsuit but died later. Green cab is a legitimate color scheme.
- **Pres Gillespie:** Why is the settlement confidential?
- **Mark Gruberg:** The settlement is confidential and that's how it was agreed.
- **Com Breslin:** The city should be involved in learning more about this medallion.

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- **City attorney:** The City was not involved in this lawsuit as an active party and they withdrew the lawsuit dissolving the case against the city. The commissioners have no authority to require the information of the settlement.
- **Com Breslin:** Motion to continue the item
- **Com Oneto:** Second the motion.
- **AYES: Breslin, Gillespie, Oneto, Paek** **NO: 0**
  ABSENT: Benjamin, Slaughter **RECUSE: 0**

4. Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* 4.A.7, 4.B.1, 4.B.3, AND 5.G.2.a. [ACTION]

- **Acting Director Thigpen:** Overview of resolutions for rule changes.

Public Comment:

- **Thomas George Williams:** Long term leases currently use more than 3 layers which is against the rules.
- **Robert Cesana:** The commission has not defined layers.
- **Mike Spain:** Opposes 3 layer minimum rule and believes there should be unlimited layers.
- **Tariq Mehmood:** Should have rules meeting daily since there are many things that need to be addressed before the commission folds into the MTA.
- **Emil Lawrence:** The commission needs to define layer since we do not know who owns corporate and or pre-k medallions.
- **Com Breslin:** We wanted to protect a driver who is not allowed to put his name on the registration.
- **Com Oneto:** This resolution does not deal with layers but I support it as it stands.
- **Com Paek:** Glad the Commission is moving forward with the Resolution. Motion to approve resolution.
- **Com Oneto:** 2nd motion
- **AYES: Breslin, Gillespie, Oneto, Paek** **NO: 0**
  ABSENT: Benjamin, Slaughter **RECUSE: 0**

SPECIAL ORDER 7:30 – 8:00 PM

5. Public Comment (Please limit public comment to items NOT on the agenda)

- **Robert Cesana:** Commission must be careful on limiting who becomes a taxi driver since lawyers will not be applying to be a taxi driver. Happy to hear about white zone enforcement legislation.
- **Jim Gillespie:** How many defaulted cameras happened in the inspection? Would welcome random checks at color scheme companies. Yellow cab companies that are operating illegally are still pervasive.
- **Barry Taranto:** There are a lot of abuses with the airport smart cards. Number of officers used during the torch run should be used to bust illegal limos to stop the problem. How many taxi violations issued last year.
- **Bill Mounsey:** Sgt. Reynolds doing a great job, but his effort is not making a difference on illegal limos. Gypsy cabs in the Mission painted yellow are picking up.
- **Richard Hybels:** Meter increase is required to supplement the high costs of gas.
- **Michael Kwok:** Supports incentive for drivers to help subsidize the increase in gas.
- **Emil Lawrence:** White zones are an issue since customers do not know about them or how they function. 69 cabs seemed to be rubber stamped before it went before the Board of Appeals.
- **Barry Korngold:** Feels he should be on the consent calendar on May 13 agenda.
- **Tariq Mehmood:** Wants to honor Alberto for helping out other drivers and raising money for kidney replacement surgery for a driver's son.
- **Andy Sinaiko:** Why wasn't his name mentioned earlier believes he should be included.
- **Mark Gruberg:** Companies are overcharging gas and gate. This would be easy for the commission to enforce. One company is charging for credit card transactions.
- **Mike Spain:** Several years since meter increase. Time for a rate increase. At the last meeting, there was a position to be approved for a clerk and commission should have cut that position.
- **Name:** What is the commission doing for the drivers especially the bill of rights, the companies are not treating drivers well.

25 Van Ness Avenue, Ste. 420, San Francisco, CA 94102 * (415) 503-2180 *Fax (415) 503-2186*Email: sftaxi.commission@sfgov.org *Website www.sfgov.org/taxicommission

- **Thomas George Williams:** American dollar is low and the meter increase is needed. The city should hire more officers since there are only 2 for all the limos in the city.
- **Name:** If the commission requires each company their gates and their policies on credit cards and have them sign each of the letter, it would be interesting to see if any signs these.

6. **Taxi Commission's Taxi Wrap Fund [INFORMATION AND DISCUSSION]**

- **Acting Director Thigpen:** Overview of the item.
- **Pres Gillespie:** Would like to continue further discussion on this issue at a future meeting.

Public Comment:

- **Carl Macmurdo:** This money is for the drivers and should be made by the non-medallion holder drivers.
- **Emil Lawrence:** Opposes any of these monies to be spent on photos. Wants to know if the money has collected any interest.
- **City Attorney:** The controller invests City money funds.
- **Mike Spain:** This is the drivers' money.
- **Robert Cesana:** Let the driver's decide how they want to spend their money.
- **Thomas George Williams:** The money should be used to create a soup kitchen in case it comes down to that.

7. **Consideration of Hearing Officer's Recommendations in <u>Taxi Commission v. Eric Brill</u>: [ACTION]**
    - **Consideration of Hearing Officer's decision regarding continuation of summary suspension of P-44 Permit # 63024.**

- **Acting Director Thigpen:** Overview of case.
- **Sgt Reynolds:** Overview of his background.
- **Com Breslin:** The commission did not lift the summary suspension as noted in the complaint.
- **Acting Director Thigpen:** Previous director lifted the summary suspension on behalf of the commission.

Public Comment:

- **Robert Cesana:** Commission is going on a presumption of guilt and shouldn't.
- **Emil Lawrence:** The commission should uphold the hearing officer's recommendation and should revoke his permit.
- **Thomas George Williams:** Should be presumed innocent and not guilty.

8. **Consideration of Hearing Officer's Recommendations in <u>Taxi Commission v. Enazzer</u>: [ACTION]**
    - **Consideration of Hearing Officer's decision to revoke P-16 Permit # 431 for Violation of the Prop. K Full Time Driving Requirement, MPC § 1081(b) for 2001, 2005, and 2006; and violation of MPC § 1138, accurate and legible waybills.**

9. **Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)**

- **No public comment.**

10. **Adjournment – 10:00 pm**

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n Francisco Taxicab Commission

ONLY:

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SIZE:

May 13, 2008

AMENDED

TAXICAB COMMISSION AGENDA

3

113/08

May 13, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

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MAY 12 2008

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Taxicab Safety Camera Program [INFORMATION AND ACTION]
   SPECIAL ORDER 8:00 – 8:30 PM
4. Public Comment (Please limit public comment to items NOT on the agenda)
5. Consent Calendar [ACTION]
6. Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* Rules 5.A.3 and 7.A.6 and Rule 5.A.10 [ACTION]
7. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
8. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes for the April 22, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit:

Abdelouahab Belaydi	Khabib Ram Magar	Sarbjeet Singh Nagi
Ademir Alves Santana	Kingsley Njemanze	Sunil Adhikari
Ajay Kumar	Leo Na Yang	Teferi Kidane Habte
Battsengel Jigjidsuren	Moez Eddine Dahmani	Thanh Duong
Brahim Djadri	Mohammed Abuarafeh	Uchenna Nnabuife
Clarke Sleman	Mohammed S Ali	Wilfredo Sevilla
Dat Ai Ma	Nabil MF Alfakhouri	Wing Kwong
David Tan	Nasir Sherzai	Yoontin Chao
Dejair AD Guedes	Roman Kovalenko	Yurify Ivanchenko
Emad I Agil	Rubern Dario Cortestellez	Yusef Abo

C. Consideration to change dispatch companies:

Color Scheme	Change:
1. Green Cab	Regents Dispatch to Citywide Dispatch

D. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Frederich Rerat	6-540	Yellow Cab Co-Op	Regular	Not Cleared
2. Taj D. Shah	6-545	Yellow Cab Co-Op	Regular	Not Cleared
3. Albert R. Sugabo	6-542	Yellow Cab Co-Op	Regular	Not Cleared
4. Barry Korengold*	1324	Yellow Cab Co-Op	Alt. Fuel	Not Cleared

* Continued from February 12, 2008 meeting

E. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Young K. Yi	6-544	Does not meet the driving requirement per MPC 1121(b); Only drove 2 years full-time: 2007 and 2008

2. Raymond Delgado*	6-475	See Memorandum
3. Andrew Sinaiko**	6-500	See Memorandum

*Continued from January 22, 2008
**Continued from February 26, 2008
Commission needs to vote up/down on these items.

F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Philip Henry Welch IV	690	Regents to Green Cab

*Continued from April 22, 2008 meeting

G. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2) or Municipal Police Code Section 1081(c) for failure to meet the driving experience required by Section 1148.1 for a ramped taxi permit:

Applicant Name(s):	List #:
1. Abdel Sdaigui	6-787

* Continued to the call of the Chair June 12, 2007

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 27, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Mohammad Ilyas	6-538	Yellow Cab Co-Op	Regular	Not Cleared Yet
2. Antone Nguyen	6-547	Delta Cab	Regular	Not Cleared Yet

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Frank Fahy	947	Bay to Fog City
2. Mildred Rancatore	1,2,3,4,5	Metro to Yellow Cab

3. Sandra Palazzi	63, 64, 65	Metro to Yellow Cab
4. Antoinette Dell'Aqua	51	Metro to Yellow Cab
5. Feridoon Golshan	926	Yellow to Royal
6. Xiem Khuu	128	Regents to Fog City

C1. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Yellow Cab Co-op
Medallion #s:	815, 825, 854, 991, 1023, 1119, 1149, 1181, 1208, 1254
Duration of Campaign:	June 2, 2008 – July 27, 2008
Advertiser:	Monterey Bay Aquarium

C2. Consideration of the Taxi Commission to approve a Taxi Wrap Color Scheme for the following Color Scheme:

Color Scheme:	Luxor Cab Company
Medallion #s:	100, 145, 146, 157, 232, 464, 662, 729, 790, 1051, 794, 840, 888, 927, 934, 952, 954, 969, 1014, 1050
Duration of Campaign:	June 2, 2008 – June 29, 2008
Advertiser:	Conoco Philips

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	**List #**	**Reason**
1. William F. Gahan	7-005	Not Interested in a Ramp Medallion
2. Constantino Peralta	6-911	Not Interested in a Ramp Medallion
3. Adel M. Awadallo	6-942	Not Interested in a Ramp Medallion

E. Consideration of Taxi Commission to Allow Medallion Holder to Park Taxi at Alternate Site:

Applicant Name:	**Medallion #:**	**Alternate Site:**	**Color Scheme:**
1. Wes Hollis	1022	Home	Executive Taxi

F. Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* Rules 5.C.34, a copy of the resolution can be found under agenda item 3 Taxicab Safety Camera Program.

G. Consideration for Revocation of Medallion Holder Permits for Non-Compliance with MPC Section 1095:

	Medallion	Name	Company	Medallion Type
1	740	Leonard Ribeiro	American	Post K
2	249	Eloy G. Alanya	Arrow	Post K
3	300	Allen Gelder	Arrow	Post K
4	317	Jack Maniaci	Arrow	Post K
5	1012	Ralph Jacobson	Arrow	Post K
6	9038	Maria Yuhas	Arrow	Post K
7	121	Richard Nguyen	Bay	Post K
8	134	Hailu Anteneh	Bay	Post K
9	664	Twin Peak Trans. Co.	Bay	Pre-K
10	665	Twin Peak Trans. Co.	Bay	Pre-K
11	874	Van Vo	Bay	Post K
12	913	Judeh Judeh	Bay	Post K
13	1147	Diane Cohen	Bay	Post K
14	1174	Hoang Le	Bay	Post K
15	1213	Frank Wong	Bay	Post K
16	1130	Martin Mar	Big Dog	Post K
17	802	Frances Wilson	B&W Checker	Post K
18	9018	Demian Volynsky	B&W Checker	Post K
19	1009	Kin C. Ching	Delta	Post K
20	353	Scott Warren	DeSoto	Pre-K
21	438	Tung Soohoo (Yee, Wm)	DeSoto	Pre-K
22	917	Ted Tan	DeSoto	Post K
23	1115	Aliasghar Mirzakashani	DeSoto	Post K
24	9100	Mohammed Z. Khan	DeSoto	Post K
25	102	Lawrence W. Williams	Luxor	Pre-K

26	118	Marian Greenbach/ Michelle Greenbach	Luxor	Pre-K
27	120	David Holvoet	Luxor	Pre-K
28	143	Lawrence W. Williams	Luxor	Pre-K
29	179	Mastafa Syed	Luxor	Post K
30	219	Noel Palter	Luxor	Post K
31	572	Edward Healy	Luxor	Post K
32	612	Juri Malkin	Luxor	Pre-K
33	850	Yossedek Desta	Luxor	Post K
34	905	Steve W. Huff	Luxor	Post K
35	977	Simon C. Leo	Luxor	Post K
36	1109	Jason Hall	Luxor	Post K
37	1193	Robert Lind	Luxor	Post K
38	1242	Andrew Lindemann	Luxor	Post K
39	1308	Robert MacKenzie	Luxor	Post K
40	9086	David Kreutner	Luxor	Post K
41	22	Maxine Molinsky	National	Pre-K
42	135	Marcos Mora	Regents	Post K
43	383	James Mitchell	Royal	Post K
44	899	Jamil Sweidan	Royal	Post K
45	45	Samia Nemetalla	Town	Post K
46	114	Fred Brandt	Yellow	Post K
47	482	Steve Szerensci	Yellow	Post K
48	795	Rene Dorestant	Yellow	Post K
49	1176	Rashed Sidia (name chg: Abdellatif Sidia)	Yellow	Post K
50	1291	Manjit Singh	Yellow	Post K
51	9028	Mekonen Zere	Yellow	Post K

H. Consideration for Revocation of Color Scheme for Non-Compliance with MPC Section 1095:

Color Scheme:

1. ABC Taxicab
2. Arrow Cab
3. Central Cab
4. Lucky Cab
5. Metro Cab
6. Six2Six Taxi

I. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Update on Peter Witt/summary suspensions	February 26, 2008	
Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	6/10/8
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Staff		
Taxicab Safety Camera Program		5/13/8
Final Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		5/27/8 and 6/10/8
Update on neighborhood taxi stands		5/27/8

Public Comment may be limited to less than three minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are

available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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TAXICAB COMMISSION MINUTES

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May 13, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Acting Executive Director Jordanna Thigpen, Investigator Scott Leon, Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen

Jordanna Thigpen, Acting Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

1. **Call to Order/Roll Call**

- **Present: Benjamin, Breslin, Gillespie, Oneto, Slaughter Absent: Pack**

2. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Acting Director Jordanna Thigpen-** Overview of staff report.
- **Com Slaughter:** Any update regarding the Controller's report of meter increase?
- **Acting Director Thigpen:** Requested report from the Controller's office once it is done they will present it before the Commission. Board of Supervisors have the final say on the increase.
- **Com Oneto:** Are the credit card receipts being redeemed by a third party or is the drivers?
- **Acting Director Thigpen:** Taxi brokers are charging credit cards and then redeeming them at the companies.

Public Comment:

- **Robert Cesano:** Taxi Commission should not get involved with the credit card redemptions.

- **Charles Rathbone:** Luxor does not charge and procession fee on credit cards and believes the Commission should get involved in the issue.
- **Marty Smith:** Hopes taxi commission does not raise meter increase should be in drop. Economy is suffering and people will not ride in the taxis.
- **Emil Lawrence:** People are getting lazy and using credit cards for short rides there should be a minimum charge on fares.
- **Mike Spain:** Rate increase overdue. Controller's report says the same thing every year.
- **Joe Mirable:** Green Cab does not charge for credit cards but there should be a meter and fare increase.
- **Director Thigpen:** Also proposes amendments for wrap legislation and will notice 10 day requirement and will be before the Commission at the next meeting.

3. **Taxicab Safety Camera Program [INFORMATION AND ACTION]**

- **Acting Director Thigpen:** Overview of the program.
- **Investigator Scott Leon:** Presentation of current facts.
- **Tim Russell and David Black, Honeywell:** Overview of Silent Witness camera program and information about not needing to replace cameras but rather maintaining and updating memory cards.
- **Com Benjamin:** Could the Honeywell system be update in the Raywood cameras or would they need to be completely replaced?
- **David Black:** The Raywood's would need to be replaced.

Public Comment:

- **Andrew Lindman:** His taxi was involved in an incident and was taken by the police and when his cab was returned he was required to replace a camera box costing $400.
- **Com Breslin:** There is a victims' assistance fund to help possibly reimburse you.
- **Jim Gillespie:** There should be proper training of the installers and that way we will not have any problems in the long term.
- **Emil Lawrence:** Audio and video should be tested bi-monthly.
- **Marty Smith:** There should be at least two people every shift that are knowledgeable of the cameras.

- **David Black:** There is a black box that costs $400 to replace and that should not be removed since there is nothing pertaining to evidence in the box, however the chip has the photos police are looking for to use as evidence. Police need to also be trained about the cameras.

SPECIAL ORDER 8:00 – 8:30 PM

4. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Robert Cezano:** Taxi driver was issued a ticket for picking up at Golden Gate Park.

- **Barry Taranto:** One of the Commissioners should have attended the Board of Supervisors Committee meeting on the merger.

- **Emil Lawrence:** The white zones in front of Macy's are being used for tour buses.

5. **Consent Calendar [ACTION]**

- **Acting Director Thigpen:** Sever items D, F & G. Overview of Item G

- **Com Breslin:** Motion to approve Items A- Minutes, B- Public Passenger permits, C- Dispatch change for Green Cab from Regents to City Wide.

- **Com Benjamin:** Seconds motion

· **AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter** **NO: 0**

ABSENT: Paek **RECUSE: 0**

· **Com Benjamin:** Motion to approve Item D- grant medallions to D1- Frederich Rerat, D2- Taj Shah, D3- Albert Sugabo, D4- Barry Korengold

· **Com Oneto:** Seconds motion

· **AYES: Benjamin, Breslin, Oneto, Slaughter** **NO: 0**

ABSENT: Paek **RECUSE: Gillespie**

- **Philip Welch:** Settlement agreement is court ordered confidential. UTW is not in settlement agreement but a new company which is now Green Cab was listed to receive the medallion.

- **Com Slaughter:** Can you confirm that the settlement is between you and Green Cab and not UTW?

- **Philip Welch:** It is between me and Green Cab.

Public Comment:

- **Robert Cezano:** Settlement was with UTW and not Green Cab.
- **Charles Rathbone:** UTW will be considered a broker if they manage the medallion at Green Cab.
- **Barry Taranto:** This is a waste of time. Other things more pressing.
- **Mary MaGuire:** Has proof Green cab did not have workers' compensation.
- **Mark Gruberg:** Green Cab was not in existence at the time it's been alleged we didn't have workers' compensation. Has paper work to prove he has always had workers' compensation for medallion and Green Cab.
- **Com Benjamin:** Can UTW move the medallion without the Taxi Commissions permission?
- **Mark Gruberg:** Medallion is owned by Welch. UTW has nothing to do with this. It does not receive the income from the medallion.
- **Carl Macmurdo:** Commission should request to see the settlement.
- **Com Slaughter:** Motion to approve color scheme change from Regents to Green Cab
- **Com Oneto:** Seconds motion

AYES: Gillespie, Oneto, Slaughter **NO: Benjamin, Breslin**

ABSENT: Paek **RECUSE: 0**

- **Acting Director Thigpen:** Motion fails. If the applicant would like to reapply he will have to do so.
- **Com Oneto:** Motion to remove item E1- Young Yi from medallion waiting list.
- **Com Benjamin:** Seconds motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter **NO: 0**

ABSENT: Paek **RECUSE: 0**

- **Acting Director Thigpen:** There is no action to take with E-2 Raymond Delgado. He is already removed from the waiting list by operation of the law.
- **Pres Gillespie:** Continue items E2- Raymond Delgado and E3- Andrew Sinaiko to call of the chair and item G- Abdel Sdaigui to May 27, 2008 meeting.

6. **Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* Rules 5.A.3 and 7.A.6 and Rule 5.A.10 [ACTION]**

- **Ruah Graffis:** SFPD- Detail requested to have this responsibility of ensuring each driver receive a rules and regulations book. Commission should not require taxi schools to do this.
- **Com Breslin:** Would like to continue this item to learn more about Taxi Detail's procedures.
- **Tariq Mehmood:** Driver's should receive the rules and regulations book at their first day of class.
- **Pres Gillespie:** Send items back to the Rules Committee for review.

7. **Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)**

- **Mary MaGuire:** Light brown apple moth spraying public health risk for taxi drivers.

8. **Adjournment – 10:45 PM**

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San Francisco Taxicab Commission

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May 27, 2008

TAXICAB COMMISSION AGENDA

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May 27, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

1. Call to Order/Roll Call
2. Closed Session – Public Employee Nomination: Executive Director Of Taxicab Commission (ACTION)
   a. Public comment.
   b. Closed session as described above, pursuant to Section 67.10(b) of the San Francisco Sunshine Ordinance (S.F. Admin. Code §67.10(b)) and Section 54957(b) of the Ralph M. Brown Act (Cal. Govt. Code §54957 (b)).
   c. Vote on whether to disclose closed session discussion. (ACTION)
   d. Report on any action taken as required by Section 67.12(b)(4) of the Sunshine Ordinance (S.F. Admin. Code §67.12(b)(4)) and Section 54957.1(a)(5) of the Ralph M. Brown Act (Cal. Govt. Code §54957.1(a)(5)).
3. Staff Report and Commissioner Announcements [INFORMATION]
4. Consent Calendar [ACTION]
5. **SPECIAL ORDER 8:30 – 9:00 PM:** Public Comment (Please limit public comment to items NOT on the agenda)
6. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Thomas Poole: [ACTION]
   - Consideration of Hearing Officer's decision to suspend Permit # 061042 for three years for reckless driving
7. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Douglas Wong: [ACTION]
   - **Douglas Wong:** Consideration of Hearing Officer's decision regarding continuation of summary suspension of P-44 Permit # 050561 and P-16 Permit # 180, issued pursuant to San Francisco Municipal Police Code Section §1090(c) for alleged violations of Penal Code §§ 12020(a)(4) (carrying concealed dirk or dagger); 12025(a) (carrying a concealed firearm), and 12031(a)(1) (carrying a loaded firearm by carrying it in a public place or public street).

8. Consideration of Amendments to *Taxicab/Ramped Taxi Rules & Regulations* Rule 5.C.34 [ACTION]
9. Consideration of Amendments to Taxi Commission Wrap Procedure [ACTION]
10. Consideration of Possible Rule for Reconsideration of Commission Decisions on Permits Granted Pursuant to Municipal Police Code § 1079, in accordance with Section 2 of Ordinance No. 58-08, signed into law on April 10, 2008 [DISCUSSION]
11. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
12. Adjournment

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TAXICAB COMMISSION MINUTES

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May 27, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Acting Executive Director Jordanna Thigpen, Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Paul Zarefesky

Jordanna Thigpen, Acting Executive Director: Turn-off cell-phones, interferes with phone systems and we get feedback.

1. **Call to Order/Roll Call**

- **Present: Benjamin, Breslin, Gillespie, Oneto, Pack, Slaughter** **Absent: 0**

2. **Closed Session – Public Employee Nomination: Executive Director Of Taxicab Commission (ACTION)**

   a. **Public comment.**

- **Charles Rathbone:** Would want to be compensated if he were working more hours and had more responsibilities.
- **Robert Cesano:** Board of Supervisors and MTA are creating a national search for a executive director.
- **Mark Gruberg:** Jordanna has been fair and balanced and is needed during transition.
- **Jim Gillespie:** Would want Jordanna to be compensated, Commission should give her a salary increase.

- **Mary Maguire:** Has heard Jordanna doesn't say nice things about medallion holders.

b. **Closed session as described above, pursuant to Section 67.10(b) of the San Francisco Sunshine Ordinance (S.F. Admin. Code §67.10(b)) and Section 54957(b) of the Ralph M. Brown Act (Cal. Govt. Code §54957(b)).**

- **Com Paek:** Motion to go into closed session.

- **Com Benjamin:** 2nd motion.

- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0**

ABSENT: 0 RECUSE: 0

c. **Vote on whether to disclose closed session discussion. (ACTION)**

- **Com Slaughter:** Motion to not disclose discussions in closed session.

- **Com Paek:** 2nd motion

- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0**

ABSENT: 0 RECUSE: 0

d. **Report on any action taken as required by Section 67.12(b)(4) of the Sunshine Ordinance (S.F. Admin. Code §67.12(b)(4)) and Section 54957.1(a)(5) of the Ralph M. Brown Act (Cal. Govt. Code §54957.1(a)(5)).**

3. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Acting Director Thigpen:** Overview of staff report
- **Sergeant Reynolds:** Overview of Taxi Detail report
- **Wade Crowfoot, Mayor's Office:** MTA Update

Commissioner Announcements:

- **Com Benjamin:** Asked Jordanna to put together memo on color scheme rule changes and would like Rules Committee to review.

Public Comment:

- **Mike Spain:** Glad Taxi Detail is requesting input from drivers to address limo issue.
- **Robert Cesano:** Taxi Commissions budget was increased without Commissioners knowledge.
- **Mary Maguire:** Limos are out of control. Commission budget wasn't approved by Commission.
- **Carl Macmurdo:** Mayor's office and Board of Supervisors will hire an executive director commission will only be advisory during merger.
- **Charles Rathbone:** Spares should not be calculated per legislation regarding emissions.
- **Marty Smith:** Emissions numbers not working out.
- **Tariq Mehmood:** Budget was passed without the Commissions knowledge.
- **Mark Gruberg:** Mayor's office sets budget not Taxi Commission.

4. **Consent Calendar [ACTION]**

- **Acting Director Thigpen:** Recuse items D2-5 and F4
- **Com Slaughter:** Shouldn't deny color scheme changes based on insufficient reasons, until the Commission sets standards.
- **Com Breslin:** Comment section is a standard on application and should state why the change is occurring.
- **Acting Director Thigpen:** Item F-4 Abdel Sdaigu will be going to the Board of Appeals.

Public Comment:

- **Richard Hybels:** Families moving medallion because of family issues and not color scheme disagreements.
- **Emil Lawrence:** American cab doesn't keep waybills or electronic records from 2004.
- **Com Oneto:** Motion to approve items A- Minutes; B- Driver permits; C- Grant medallions to C1: Mohammad Ilyas and C2: Antone Nguyen; D- Color scheme change to D1: Frank Fahy from Bay to Fog City and D6: Xiem Khuu from Regents to Fog City; F-

Ineligible for ramp medallion F1: William Gahan, F2: Constantino Peralta, F3:Adel Awadallo; G- Allow to park at alternate site G1- Wes Hollis.

- **Com Paek:** Second motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0

ABSENT: 0 RECUSE: 0

- **Com Paek:** Motion to approve color scheme change to D2: Mildred Rancatore; D3: Sandra Palazzo; D4:Antoinette Dell'Aqua, D5: Feridoon Golshan

- **Com Benjamin:** 2nd motion

AYES: Benjamin, Breslin, Oneto, Paek, Slaughter NO: 0

ABSENT: 0 RECUSE: Gillespie

5. **SPECIAL ORDER 8:30 – 9:00 PM: Public Comment (Please limit public comment to items NOT on the agenda)**

- **Name:** UTW is a broker. Safety concerns regarding Barry Taranto, his A-card has been revoked.

- **City Attorney:** The public should be aware that there is no protection for defamatory statements from or about the public do not represent the Commissions viewpoint.

- **Mike Spain:** Commission did not approve budget presented before the Board of Supervisors.

- **Robert Cesano:** Public safety issue is not black and white as commission assumes.

- **Keith Raskin:** Taxi and illegal limo problem especially when there are no TCP numbers.

- **Emil Lawrence:** Why was the budget presented to the Commission if the Board was going to change it?

- **Bill Mounsey:** Passenger reluctant to get in cab before she took a good look at his face because she was almost raped by a driver.

- **Richard Hybels:** Has commented to folks at SFO as how to improve service and crack down on illegal limos.

- **Name:** Driver's Bill of Rights should be inside each taxi. Color scheme change comments are useless.

- **Barry Taranto:** Needs to know how Commission spent money this year. Difficult to stop illegal limos.
- **Mary Maguire:** Com Slaughter requested billings of Commission and has not been produced.
- **Tariq Mehmood:** Drivers are from all countries.
- **Mark Gruberg:** No one has seen the lease how can anyone comment on it?

6. **Consideration of Hearing Officer's Recommendations in Taxi Commission v. Thomas Poole: [ACTION]**

· **Consideration of Hearing Officer's decision to suspend Permit # 061042 for three years for reckless driving**

· **Acting Director Thigpen:** Overview of the item.

· **Sgt Reynolds:** Overview of police report.

· **No Public Comment**

· **Com Slaughter:** Serious damage and shows no respect to the Commission by not appearing. Motion to uphold hearing officer's decision.

· **Com Benjamin:** 2nd motion,

· **Com Oneto:** Would this set precedent for all reckless drivers?

· **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0**

ABSENT: 0 RECUSE: 0

7. **Consideration of Hearing Officer's Recommendations in Taxi Commission v. Douglas Wong: [ACTION]**

· **Douglas Wong: Consideration of Hearing Officer's decision regarding continuation of summary suspension of P-44 Permit # 050561 and P-16 Permit # 180, issued pursuant to San Francisco Municipal Police Code Section §1090(c) for alleged violations of Penal Code §§ 12020(a)(4) (carrying concealed dirk or dagger); 12025(a) (carrying a concealed firearm), and 12031(a)(1) (carrying a loaded firearm by carrying it in a public place or public street).**

· **Acting Director Thigpen:** Overview of the case.

- **Attorney Hallinan, representing Mr. Wong:** District attorney dismissed the charges and Mr. Wong will not carry weapons in the future.

- **Acting Director Thigpen:** Commission needs to vote on how to proceed. Can amend the hearing officer's decision by lifting the suspension or proceed with something else.

Public Comment:

- **Marty Smith:** LA taxi driver killed 2 passengers while trying to escape a hold up.

- **Emil Lawrence:** Douglass Wong never reported drug deal to police and should have.

- **Mike Spain:** He's already been suspended for 3 months, will not do it again.

- **Com Benjamin:** Should lift the suspension with strong warnings and this is illegal and that if something occurs again police should be called.

- **Com Breslin:** Public safety issue and should not carry any firearm.

- **Com Slaughter:** Agrees with Com Benjamin and no one should carry a firearm.

- **Com Oneto:** Also supports decision since there are no rules on this type of matter.

- **Com Benjamin:** Motion to lift suspension.

- **Com Pack:** 2nd motion

- **AYES: Benjamin, Gillespie, Oneto, Pack, Slaughter NO: Breslin**

ABSENT: 0 RECUSE: 0

8. **Consideration of Amendments to *Taxicab/Ramped Taxi Rules & Regulations* Rule 5.C.34 [ACTION]**

- **Jordanna Thigpen:** Once details are formally adopted will purchase laptops and memory chips. Raywood cameras will need to be replaced.

- **Com Oneto:** Section D should be lowered from 75% to 10 or 5%.

Public Comment:

- **Charles Rathbone:** Percentage should be less than 75 but good faith effort placed on color scheme if green light is on but camera is not working.

- **Emil Lawrence:** Technology is old, memory chips should be replaced and monthly maintenance should be required.

- **Jim Gillespie:** Inspections are never done and cabs are usually out of service in case it doesn't work. Item B in the resolution addresses signage, can the language be more loosely written?
- **President Gillespie:** Would like to remove section B , include noticing language in the first section and change 75% to 5%.
- **Com Breslin:** Motion to adopt the amendments; remove section B, include public noticing and change 75% to 5%.
- **Com Paek:** 2nd motion
- **Com Slaughter:** Motion on the resolution including the amendments.
- **Com Paek:** 2nd motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0

ABSENT: 0 RECUSE: 0

9. **Consideration of Amendments to Taxi Commission Wrap Procedure [ACTION]**

- **Com Gillespie:** Likes commission's role on making the decision
- **Com Paek:** Prefers the executive director to take the roll
- **Com Benjamin:** Increase the fleet size from 15 to 25% to be wrapped. Has never voted against a wrap and should allow the executive director to make the decision.
- **Danelle. Clear Channel:** Clear Channel has lost several wrap contracts due to the quick turn around needed. The noticing and consent calendaring of the item takes long. Going through the director is much easier. Clear channel follows the rules and regulations and does not accept any advertisements from gentlemen's clubs.
- **Charles Rathbone:** It would be very valuable for color schemes to allow more wraps.
- **Com Slaughter**: Motion to adopt executive director authority and increase wrap fleet to 25%
- **Com Benjamin**: 2nd motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0

ABSENT: 0 RECUSE: 0

10. **Consideration of Possible Rule for Reconsideration of Commission Decisions on Permits Granted Pursuant to Municipal Police Code § 1079, in accordance with Section 2 of Ordinance No. 58-08, signed into law on April 10, 2008 [DISCUSSION]**

· **Pres Gillespie:** Daly/Ma was amended to allow the exemption for people like Ray Delgado.

· **Carl Macmurdo:** Offers suggestions as how to implement the bill

· **Pres Gillespie:** Directs staff to draft possible rule change. Believes only 1-2 people will be affected by this.

· **Com Oneto:** How far back will this go? Should we get a list of names affected by this? How much time will it take to generate the list?

11. **Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)**

- **No public comment**

12. **Adjournment - 10:45 PM**

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San Francisco Taxicab Commission

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June 10, 2008

TAXICAB COMMISSION AGENDA

June 10, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Taxi Commission v. American Taxi: [ACTION]
   - Defendant's Appeal of Administrative Fine of $250 for Failure to Cooperate for Failing to Return a Temporary Medallion to the Taxi Commission Office and for Making False Statements with Regard to the Medallion

SPECIAL ORDER 7:30 – 8:00 PM

4. Public Comment (Please limit public comment to items NOT on the agenda)
5. Consideration of 2008 Color Scheme Standards: Proposed Rules 4.A.13 and 5.A.10, Amendments to MPC § 1125; and Proposed 2008 Color Scheme Standards [ACTION]
6. Consideration of Clean Air Taxi Program: Proposed Amendments to Rules 4.A.6, and Sections 5.D and 5.G, Proposed Deletion of Rules 4.A.8, 5.B.1, 5.B.3, and 5.B.8 of the Rules and Regulations (see Explanatory Documents for Proposed Amendments) [DISCUSSION]
7. Consent Calendar [ACTION]
8. Taxi Commission v. Driss "Kiki" Elassali: [ACTION]
   - Consideration of Revocation of Permit # 52819 for violations of MPC § 1110, MPC § 1187.1, and Rules 6.A.1, 6.A.4, 6.A.8, 6.A.9, and 6.A.11; MPC §§ 1078(a), 1120, 1091, 1092, 1094, and 1095.
9. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
10. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and

considered as a separate item.

A. Consideration of the Minutes for the May 27, 2008 Taxicab Commission Meeting.

B. Recommendation of the Taxi Detail for consideration of Public Passenger Vehicle Driver permit:

Yuebin Ma	Ba Maung	Ozark Le
Jason Hart	Shree R Khadka	Quich Hoang Ly
Mohamed M Mohamed	Lydia Hagos	Manpreet Kang
Salah Murshed	Sayed Hashimi	Faouzi Hammami
William Kremen	Haytham Hassan	Jemal Hassen
Jeff Nowlin	Khai Huynh	Dhruba Giri
Erik Lamas	Michael Hodgson	Chima G Ngumezi
Lisa Leandro	Hussam UA Huegi	Olegario Joseantunes Neves
Eugene Louis Hoffman	James T Given	Arshad Ershad
Steve Liem	Arthur V Gardner	Kyiky W Lee
Reza Ghorbani	Asmerom Negasi	David Loc
Khanh Tan Ngo	Fadi Karam	Teshome T Kasa
Gamal Elsayed	Hoa T Hua	Wael Hannoon
Burhan Saif Fasail	Kerem Emil	Chris C Hom
Alexander Edward Fedorov	Thomas Farrar	Lin Htay
Joesph C. Fulton	Sukhwant R Malhi	
Paulo M martinez	Bashir Mohammad	

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Khanh X. Tran	6-543	Failure to meet the driving requirement per MPC 1121(b): Did not drive fror 2005 – 2008; also gave false information to TXC regarding waybills in violation of MPC § 1110 and Rule 6.A.4.
2. Catherine K. Cheng	6-548	Failure to respond and submit necessary application and forms per MPC 108 (c)(2).

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:

1. Albert Behravesh	709	Yellow Cab to DeSoto
2. Rick Johansen	325	DeSoto to Yellow Cab
3. Raymond Rojo	382	DeSoto to Yellow Cab
4. Philip Welch	690	Regents to Green Cab
5. David Basada*	833	KSJ to Bay Cab

* Requires the Commission to waive noticing requirement

E. Consideration of the Taxi Commission to grant a conditional Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Philip Welch	690	Regents to Yellow Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the July 8, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Charles Kleiman	772	DeSoto to B&W Checker
2. Michael Wilson	1112	Metro to Luxor Cab
3. Theodore Gray	150	DeSoto to Luxor Cab
4. Antonio Vasquez	53	Yellow to Fog City
5. Edwin Santigao	1225	DeSoto to Yellow
6. Leonard Howe	183	DeSoto to Yellow

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Anatoly Shirin	6-976	Alliance	Ramp	Not Cleared
2. Vincent Mierjeski	6-550	DeSoto	Regular	Not Cleared
3. Igor Traub	6-555	Luxor	Regular	Not Cleared
4. Michael Farruggia	6-561	Arrow	Regular	Not Cleared

5. Danil Levi	6-554	SF Taxi	Alt. Fuel	Not Cleared

C. Consideration for Revocation of Medallion Holder Permits for Non-Compliance with MPC Section 1095. Forms are Either Missing Information or Needing Further Documentation. Contacting the Taxi Commission Office May Remedy the Problem :

	Medallion	Name	Company	Medallion Type	Status
1.	280	SKG Corp (Steven A. Gold)	Arrow	Corporate	Incomplete
2.	458	CW Transportation	Bay	Corporate	Incomplete
3.	459	CW Transportation	Bay	Corporate	Incomplete
4.	848	Mark Stella	Bay	Post K	Incomplete
5.	1195	Robert Maker	Bay	Post K	Incomplete
6.	591	Christopher Forgerson	Luxor	Post K	Incomplete
7.	884	Joel Hollander	National	Post K	Incomplete
8.	433	Leung Transportation Co., Inc./Ken Leung	Regents	Corporate	Incomplete
9.	298	Bayshore Cab Incorporated	Royal	Corporate	Incomplete
10	1068	Martha Barakah	Royal	Post K	Incomplete
11	10	Herman Wikkeling	Town	Pre-K	Incomplete
12	87	All Season Transportation Service	Town	Corporate	Incomplete
13	193	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
14	194	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
15	204	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
16	205	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
17	209	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
18	210	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
19	213	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
20	214	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
21	215	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
22	216	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
23	220	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
24	222	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
25	223	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
26	224	Veterans Cab Co Inc	Veterans	Corporate	Incomplete

27	225	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
28	226	Veterans Cab Co Inc	Veterans	Corporate	Incomplete
29	9	Huey Inc. / Wayne Huey	Yellow	Corporate	Incomplete
30	68	Eugennio Blanco	Yellow	Post K	Incomplete
31	86	Huey Inc. / Wayne Huey	Yellow	Corporate	Incomplete
32	345	Laurie Graham	Yellow	Post K	Incomplete
33	490	Johnnie Walker	Yellow	Pre-K	Incomplete
34	507	Salomon Assael	Yellow	Pre-K	Incomplete
3	577	Max Kessler	Yellow	Pre-K	Incomplete

D. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		7/8/8
2008 Color Scheme and Prop K Audits Report		7/8/8

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A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3(b); Admin Code Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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WARNING

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TAXICAB COMMISSION MINUTES

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June 10, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Acting Executive Director Jordanna Thigpen, Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen

Jordanna Thigpen, Acting Executive Director: Turn-off cell phones, interferes with phone systems and we get feedback.

1. **Call to Order/Roll Call**

Present: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter, Suval **Absent: 0**

2. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Jordanna Thigpen, Acting Director:** Overview of events occurring over the last few weeks.
- **Ron Reynolds, Sergeant of Taxi Detail:** Overview of events occurring over the last few weeks.
- **Com Slaughter:** Would like to know if driver who spilled hot tea on hotel doorman was suspended?
- **Sgt Reynolds:** Was not and will be conducting an interview with the driver as to what transpired.
- **Com Breslin:** A-card should be suspended pending investigation.
- **Sgt Reynolds:** No arrest was made by SFPD or report filed. Needs to get more information before we take action.

- **Com Slaughter:** Should authorize executive director to suspend A cards and medallions until Commission or hearing officer hears the case.
- **Com Breslin:** Viewed video of bellman who was arrested in "Operation Bandit" and believes he was tricked into offering the limousine.
- **Com Slaughter:** Concerned there has been no 311 report and would like to get an idea of what type of complaints are being reported.
- **President Gillespie:** Welcomes Susan Suval to commission.
- **Com Breslin:** Westin Saint Francis hosting its annual Driver Appreciation Day with coffee and donuts 7am-11am Thursday June 12, 2008.

Public Comment

- **Robert Cesano:** Commissioner Breslin was wrong since bellmen cannot solicit any type of transportation for drivers. Limos must be prearranged unless it's a hotel house car which is a free ride.
- **Barry Taranto:** Welcomes Susan Suval. Would like more than one minute of comment and wants to know when the meter increase will be addressed by Commission.
- **Emil Lawrence:** Was assaulted by limo driver 5 years ago, believes hotels should be held liable for limos.
- **Marty Smith:** There shouldn't be any exceptions for violence. Schools should teach that.

3. **Taxi Commission v. American Taxi: [ACTION]**

   a. **Defendant's Appeal of Administrative Fine of $250 for Failure to Cooperate for Failing to Return a Temporary Medallion to the Taxi Commission Office and for Making False Statements with Regard to the Medallion**

- **City Attorney:** Overview of hearing procedures.
- **Ray Sloane, American Advocate:** Is this an appropriate venue for this item? Would like continuance.
- **Pres Gillespie:** Continuance for executive director to meet with defendant.
- **Com Slaughter:** Executive Director should not yield on the facts revealed, should come to the Commission if a settlement is not reached.

Public Comment

- **Robert Cesano:** People are afraid of our coming into taxi commission office.
- **Anne McVeigh:** Difficulty dealing with office since someone isn't playing fairly.

SPECIAL ORDER 7:30 – 8:00 PM

4. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Charles Rathbone:** Website taxinews.com informative.
- **Jim Gillespie:** Commission should not forget to agenize rule change required for Daly/Ma.
- **Marty Smith:** Meter rate increase would hurt industry. Drop increase would be better.
- **Barry Taranto:** Raise drop and not mileage and add surcharge for serving outer areas. Com Breslin should not be taking sides since she represents hotels. Thank you to the St. Francis hotel, but why not offer to the evening drivers?
- **Emil Lawrence:** Worked for American and they lost his waybills. They run 3 separate businesses and operate badly.
- **Liz Brady:** Worked in businesses for 11 years and hasn't seen many increases in meter over the years.
- **Robert Cesano:** Taxi Commission forgets its job is to serve the general public but continues to increase regulations on taxi companies and drivers. Signs at the ball park have not been moved as previously stated.
- **Grasshopper Alec Kaplan:** Would like check for a new color scheme to be refunded since Commission never voted on it.
- **Neigh Malick:** Executive director is doing a wonderful job and hopes she will stay. Gas prices going up difficult to resolve this matter. Company should pay drivers $25 for gas savings. Healthcare needed now.
- **Anne McVeigh:** Incentives as opposed to penalties. Hopefully there will be a positive approach.
- **Carl Macmurdo:** Should have a surcharge for more than 2 passengers. Fake cabs are a safety concern.
- **Mark Gruberg:** UTW is sponsoring a hearing on illegal limos on Wednesday. Has been distributing flyers to drivers and has heard a lot of complaints regarding gas prices.
- **Peter Witt:** 150 minute statement filed hard copy in Taxi Commission office.

5. **Consideration of 2008 Color Scheme Standards: Proposed Rules 4.A.13 and 5.A.10, Amendments to MPC § 1125; and Proposed 2008 Color Scheme Standards [ACTION]**

- **Pres Gillespie:** This item will be discussion only and will take public comment.

Public Comment

- **Charles Rathbone:** Support staff efforts to have standards.
- **James Kennedy:** Some color schemes do not or won't meet requirements.

6. **Consideration of Clean Air Taxi Program: Proposed Amendments to Rules 4.A.6, and Sections 5.D and 5.G, Proposed Deletion of Rules 4.A.8, 5.B.1, 5.B.3, and 5.B.8 of the Rules and Regulations (see Explanatory Documents for Proposed Amendments) [DISCUSSION]**

- **Pres Gillespie:** The change will be discussed at the June 24, 2008 meeting so that the rules are in effect by the July 1, 2008 deadline.

Public Comment:

- **Jim Gillespie:** Model/year change to 5 years is very restricting for smaller companies. Seven years is better.
- **Pres Gillespie:** Salvaged vehicles will go through a more thorough inspection.
- **David Pruit:** The proper infrastructure is not setup to pump CNG. Since, there aren't many places to buy CNG or the vehicles.
- **Emil Lawrence:** Why is the city requiring these vehicles when drivers do not own the medallions? Condition and age of cab have no correlation.
- **Richard Hybels:** Grateful for Rules Committee. Five vehicles not in fleet would be disqualified if the Commission changes the year minimum.
- **Charles Rathbone:** Supports raising standards for vehicles. Salvaged vehicles should not be in fleet.
- **Mark Gruberg:** Should allow staff to grant number of spares to color schemes.
- **Marty Smith:** Should allow each company to get the most mileage from their vehicle.
- **Jane Bolig:** There should be an excel program that companies can refer to and designate a point person at a company. Need approval for longer than 30 days.
- **Gratch:** Almost all companies support green vehicle but without certain restrictions. For example, age of vehicles will help color schemes and drivers.

- **Nick Sweis:** Vehicle must be placed back into fleet within 30 days and if not back in fleet by then vehicle not allowed back into fleet. First color scheme to use camrys and could take up to 3 weeks to get an engine.
- **Jim Kennedy:** Find hybrids difficult to drive and has trouble getting in/out. Has been in the business for 43 years and thinks limos and town cars will take over the business.
- **Barry Taranto:** If you take more vans out of service than will have a problem at the airport since families of 4 or more tend to use the vans.
- **Robert Cesano:** In Sacramento only 5 CNG stations and don't take credit car and PG&E only takes their own card.
- **Peter Witt:** Mixed view on these issues. More spares ruin the fleet. Salvaged vehicles doesn't take much to fix.
- **Tariq Mehmood:** Long-term leases ½ fleet

7. **Consent Calendar [ACTION]**

- **Acting Director Thigpen:** Sever items D& E, overview of item D5- CS change for David Basada
- **Com Oneto:** Motion to waive noticing requirement for D-5
- **Com Breslin:** 2nd motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter, Suval **NO: 0**

ABSENT: 0 **RECUSE: 0**

Public Comment

- **Jane Bolig:** Comments on color scheme change are untrue and DeSoto is seeking legal council.
- **Robert Cesano:** UTW and Green cab are 2 separate entities.
- **George Schmits:** Urge Commission to approve color scheme change to Green cab.
- **Name:** UTW is acting like a broker, Commission should press the matter.
- **Name:** Barry Taranto should speak against UTW and what they are doing.
- **Tariq Mehmood:** Medallion no. 690 is listed under Philip Welch but workers' compensation is under Amy Welch.

- **Rick Johansen:** Would like to remove comments against DeSoto from application.
- **Raymond Rojo:** Also would like to remove the comments.
- **Com Oneto:** Motion to approve A- Minutes, B- Drivers, C- Removal of applicants that do not qualify for a medallion from the list.
- **Com Paek:** 2nd motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter, Suval NO: 0

ABSENT: 0 RECUSE: 0

- **Com Slaughter:** Motion to approve color scheme for items D1-Albert Behravesh, D2-Rick Johansen and D3- Raymond Rojo
- **Com Paek:** 2nd motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter, Suval NO: 0

ABSENT: 0 RECUSE: 0

- **Com Slaughter:** Motion to allow recusal of Susan Suval from voting on item D4- Philip Welch color scheme change.
- **Com Paek:** 2nd motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0

ABSENT: 0 RECUSE: Suval

- **Com Benjamin:** Don't know order of the Court but MPC 1084 doesn't allow a court to modify ownership of medallion.
- **City Attorney:** Medallion cannot be assigned, since that would assign all the rights of the medallion. If Philip Welch is still responsible then there is no assignment of the medallion.
- **Com Slaughter:** We shouldn't deny change of color scheme until we set standards. There is no evidence of changing assignment of the medallion.

- **Com Breslin:** The issue is not so much the assignment of the medallion but who is in charge of the medallions. Creating a broker situation is what we don't want.
- **Com Slaughter:** Motion to approve the color scheme change for D4- Philip Welch from Regents to Green
- **Com Paek:** 2nd motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter NO: 0

ABSENT: 0 RECUSE: Suval

· **Acting Director Thigpen:** Overview of item D-5 David Basada

· **Roger Cardenas:** Vehicles sent to mechanical services to upgrade vehicles before taking it to GTU. A lot needed to be done to meet the deadline.

· **Ligia Parmenter, Attorney for David Basada:** Was not present at time of the signing but was read the terms over the phone by the executive director.

· **Com Slaughter:** Medallion should not be on the street. Only approve the color scheme change conditional until the GTU inspection takes place and is cleared.

· **Pres. Gillespie:** Good faith effort made by staff on this issue. Staff bent over backwards to help Mr. Basada comply.

· **Com Slaughter:** Motion to conditionally approve D-5 David Basada color scheme change from KSJ to Bay Cab. 1. Must pass GTU inspection and medallion to be held by staff

until Board of Appeals decision. 2. Board of Appeals must approve of the settlement.

· **Com Oneto:** 2nd motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Slaughter, Suval NO: 0

ABSENT: 0 RECUSE: 0

8. **Taxi Commission v. Driss "Kiki" Elassali: [ACTION]**

a. Consideration of Revocation of Permit # 52819 for violations of MPC § 1110, MPC § 1187.1, and Rules 6.A.1, 6.A.4, 6.A.8, 6.A.9, and 6.A.11; MPC §§ 1078(a), 1120, 1091, 1092, 1094, and 1095.

· **Acting Director Thigpen**: Overview of item.

- **Ligia Paramenter**: Requested a continuance of the matter with executive director but was told the Commission would need to decide that. Also requests this matter be heard before a hearing officer and not this body. Has recently been obtained and would need time to review the case.

- **Acting Director Thigpen**: Overview of item and possible suspension of license.

- **Pres Gillespie**: Could continue this item to July 8, 2008 meeting.

- **Com Oneto**: Objects to continuance.

- **Com Slaughter**: Approves of continuance but recommends declarants to appear before the commission.

Public Comment

- **Jim Kennedy:** He has a right to due process.

- **Peter Witt:** No public safety/ danger present. What are the criminal charges against this guy? Companies should be targeted as well.

- **Chris Sweis:** Has been trying to get a hold of medallion holder #899 Royal in order to get the transponder and decal.

- **Tariq Mehmood:** This item should go to a hearing officer, violation of 4 layer rule.

- **Richard Hybels:** Broker runs 24 medallions and has no time to drive. Approaches medallion holders and charges $3000.

- **Nick Sweiss:** Broker does not follow the rules and has no expenses. Unfair competitive advantage over color schemes.

- **Bill Mounsey:** Continuance based on late hour. Nobody wants to deal with anything.

- **Com Slaughter:** Hopes when issues are addressed, penalties be put into place.

9. **Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)**

   - **Tariq Mehmood:** Mary McGuire brought some documents for review. Brokering should be stopped.

   - **James Kennedy:** Luxor and Yellow will benefit from shutting down smaller companies. People make accusations against American Cab. Commissioner Slaughter seems to be siding with Emil on the issue.

10. **Adjournment**

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San Francisco Taxicab Commission

TEXT ONLY:

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June 24, 2008

TAXICAB COMMISSION AGENDA

June 24, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

06-18-08P03:16 RCVD

DOCUMENTS DEPT.

JUN 18 2008

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1. Call to Order/Roll Call
2. Commissioner Announcements [INFORMATION]
3. Public Comment
4. Consent Calendar [ACTION]
5. Consideration of Clean Air Taxi Program: Proposed Amendments to Rules 4.A.6, and Sections 5.D and 5.G, Proposed Deletion of Rules 4.A.8, 5.B.1, 5.B.3, and 5.B.8 of the Rules and Regulations, Proposed Penalties (see Explanatory Documents for Proposed Amendments) [ACTION]
6. Consideration of 2008 Color Scheme Standards: Proposed Rules 4.A.13 and 5.A.10, Amendments to MPC § 1125; and Proposed 2008 Color Scheme Standards (see Explanatory Documents for Proposed Amendments) [DISCUSSION AND POSSIBLE ACTION]
   - **PLEASE NOTE THAT ITEM 6 WILL NOT BE DISCUSSED IN THE RULES SUBCOMMITTEE, BUT WILL BE DISCUSSED AT THE JUNE 24 AND JULY 8 MEETINGS SO THAT ALL COMMISSIONERS CAN PARTICIPATE IN THE DISCUSSION**
7. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Charles Kleiman	772	DeSoto to B&W Checker

2. Michael Wilson	1112	Metro to Luxor Cab
3. Theodore Gray	150	DeSoto to Luxor Cab
4. Antonio Vasquez	53	Yellow to Fog City
5. Edwin Santigao	1225	DeSoto to Yellow
6. Leonard Howe	183	DeSoto to Yellow

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Permit to:

Taxicab Permit Applicant:	Medallion #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Anatoly Shirin	9035	Alliance	Ramp	Not Cleared
2. Vincent Mierjeski	762	DeSoto	Regular	Not Cleared
3. Igor Traub	140	Luxor	Regular	Not Cleared
4. Michael Farruggia	335	Arrow	Regular	Not Cleared
5. Danil Levi	1332	SF Taxi	Alternative Fuel	Not Cleared

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the July 8, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Taxicab Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Criminal Background Check:
1. Souleiman Ghali	6-541	Delta	Regular	Not Cleared Yet
2. Larry Shamis	6-551	Black & White Checker	Regular	Not Cleared Yet
3. Austin Peterson	6-552	Big Dog City	Alternative Fuel	Not Cleared Yet
4. Andrew Sinaiko	6-500	DeSoto	Alternative Fuel	Not Cleared Yet

B. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		

Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		July 22, 2008
2008 Color Scheme and Prop K Audits Report		July 8 and July 22

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

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Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

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A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3 (b); Admin Code Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell

phone, pager, or other similar sound producing electronic devices. ***(San Francisco Administrative Code, sec. 67A.1***

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TAXICAB COMMISSION MINUTES

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June 24, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. **Call to Order/Roll Call**
   AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **Absent**: Paek

2. **Commissioner Announcements [INFORMATION]**

- **Sgt. Reynolds:** Overview of items.

- **Com Breslin:** Cartwright Hotel changed its name to Larkspur Hotel Union Square.

Public Comment

- **Robert Cesano:** Board of Appeals upset that the Commission does not have a disability program and will allow Friedman to keep his medallion.

3. **Public Comment**

- **Marty Smith:** The workers' compensation policy should be discussed and other insurance options should be allowed.

- **Bill Mounsey:** Something should be done about brokering. Against meter increase but something needs to done. Paying more for gas and making less money.

- **Robert Cesano:** Medallion holder Association concerned about color scheme medallion standards, since this would prohibit medallion holders from operating medallions.

- **Jim Gillespie:** Daly/Ma legislation should be calendared.

- **Naim Malik:** Commission to ask Board of Supervisors to reverse gas and gate to $86.50 permanently due to high gas prices. Color schemes to pay at least 50% of gas prices.

- **Tariq Mehmood:** Why are there no non-white Commissioners on the Commission? Gas increase should be addressed.

- **Mary McGuire:** UTW newsletter sounds a little threatening. Statements should be looked at more seriously. Drivers not represented by UTW.

- **Mark Gruberg:** Yellow posted notice that drivers have to pay shifts in advance which is serious for a driver to pay 1-2k a month before. Taxi commission should take action against this.

- **Com Breslin:** What do we need to do to get Daly/ Ma language on the agenda?

- **Pres Gillespie:** Waiting for language from city attorney

- **City Attorney:** Is drafting language that may be ready for the July 8 meeting.

- **Pres Gillespie:** Acting Director to draft notice to the folks who will be placed on the list due to this change.

- **City Attorney:** Shouldn't get ahead of ourselves. Should wait to see what the next steps are before contacting anyone.

4. **Consent Calendar [ACTION]**

- **Pres Gillespie:** Sever all items in A and B3 for recusals. Item A6 to be continued to July 8, 2008.

Public Comment

- **Jane Bolig:** Thanks Theodore Gray for making the content change on his color scheme change application.

- **Com Breslin:**Staff to look closer at applications before accepting.

- **Jim Gillespie:**B-2 very good driver at DeSoto congratulations.

- **Bashir Rahimi:**DeSoto best company with great service.

- **Martin Smith:**Congratulations to Anatoly Shirin.

- **Com Slaughter:** Motion to approve color scheme change to A1- Charles Kleiman from DeSoto to B&W Checker

- **Com Oneto:** 2nd motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval NO: 0

ABSENT: Paek RECUSE: 0

- **Com Oneto:** Motion to approve color scheme change to A2- Michael Wilson from Metro to Luxor and A3- Theodore Gray from DeSoto to Luxor

- **Com Breslin:** 2nd motion

AYES: Breslin, Gillespie, Oneto, Slaughter, Suval NO: 0

ABSENT: Paek RECUSE: Benjamin

- **Com Slaughter:** Motion to approve color scheme change to A4- Antonio Vasquez from Yellow to Fog City and A5- Edwin Santiago from DeSoto to Yellow.

- **Com Oneto:** 2nd motion

AYES: Benjamin, Breslin, Oneto, Slaughter, Suval NO: 0

ABSENT: Paek RECUSE: Gillespie

- **Com Oneto:** Grant medallions pending background search to B1- Anatoly Shirin, B2- Vincent Mierjeski, B4- Michael Farruggia and B5- Danil Levi

- **Com Breslin:** 2nd motion.

AYES: Benjamin, Breslin, Oneto, Slaughter, Suval NO: 0

ABSENT: Paek RECUSE: Gillespie

- **Com Oneto:** Grant medallions pending background search to B3- Igor Traub

- **Com Slaughter:** 2nd motion

AYES: Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: Benjamin**

5. **Consideration of Clean Air Taxi Program: Proposed Amendments to Rules 4.A.6, and Sections 5.D and 5.G, Proposed Deletion of Rules 4.A.8, 5.B.1, 5.B.3, and 5.B.8 of the Rules and Regulations, Proposed Penalties (see Explanatory Documents for Proposed Amendments) [ACTION]**

- **Pres Gillespie:** Overview of item.

- **Com Oneto:** Concerned with penalty phase should have one set of penalties not two.

- **Pres Gillespie:** This is not time critical and this section could be continued until the Director's return.

- **Com Breslin:** Would like to discuss the items only tonight.

- **Com Slaughter:** If there is no pressure to vote, then we should discuss this tonight.

- **City Attorney:** Some penalties will need to be approved by the Board of Supervisors.

- **Pres Gillespie:** Should not need to use or issue the penalties as long as staff monitors the program.

- **Com Oneto:** Some issues with penalty structure. Should not take away airport privileges for airport and only prefers 1a. Under 2nd penalty, make monetary fee the same and suspension should be for 6 months not one year. Under 3rd violation remove 3a. If color scheme manages to get 3 violations, should be revoked.

- **Com Breslin:** Is there a scenario where a color scheme could unconsciously have 3 violations.

- **Com Oneto:** No, staff would alert them after their first violation.

Public Comment

- **Charles Rathbone:** Commissioner Oneto's suggestions make sense. Clean air is not a specific vehicle but rather a fleet average.

- **Pres Gillespie:** Taxi Commission is to be heavy on helping and less on the fines.

- **Marty Smith:** What if a vehicle is wrecked but was not ready to leave the fleet, would a replacement be required to be a alternative fuel?

- **Dan Hinds:** Supports program but feels like the commission is moving too quickly on the issue. Rules on model year should not change and be left at 8 years. Uncomfortable with the fees and variability

- **Jane Bolig:** How successful will the commission staff and color schemes be at working together to implementing the program?

- **Mark Gurberg:** Penalties are fine but should not be automatic. Incentive to violators to comply or to pay violation.

- **Thomas George Williams:** Important to include spares under the rules.

- **Tariq Mehmood:** Cutting years from 8 to 4 should be examined more closely.

- **Mike Spain:** Approves of changes but fines are an issue.

- **Jim Gillespie:** Concerned with having to have inspection 2 times per year. Commission is trying hard to regulate the industry. Costs will be high if color schemes are required to have all new vehicles.

- **Bashir Rahimi:** Salvaged vehicles are good.

- **Com Breslin:** There should be a grace period before the penalties are put into effect. As a goodwill effort.

- **Com Benjamin:** Fines can be reduced to 1k/ medallion and then reduce fees across the board. When will the first vehicle be inspected? Will it be within the 1st 6 months or later?

- **Com Slaughter:** Fines to be revamped. Concerned with the fine and penalty structure. Age is also an issue of concern. Newer cabs are in better condition and public deserves to have good and clean fleet. Not sure what's a better solution ; mileage vs age of vehicle and should be considered carefully.

- **Pres Gillespie:** Would consider 6 years as opposed to 5 years and this wouldn't take place for 2 more years.

- **Com Breslin:** Voted to increase cab life to 8 years due to sympathy of color scheme burdens, but takes a lot of taxis and questions judgment would rather see a cleaner fleet.

- **Com Oneto:** Concerned that companies were given an increase fee of $7.50 for new vehicles but cannot afford to purchase new vehicles. Hesitating to include salvaged vehicles into

fleet. Motion to approve the clean air resolution with amendments to change section 6 to replace "color scheme" to "vehicle" and add "inspection" before approve.

· **Com Suval:** Second motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval NO: 0

ABSENT: Paek RECUSE: 0

6. **Consideration of 2008 Color Scheme Standards: Proposed Rules 4.A.13 and 5.A.10, Amendments to MPC § 1125; and Proposed 2008 Color Scheme Standards (see Explanatory Documents for Proposed Amendments) [DISCUSSION AND POSSIBLE ACTION]**

    a. **PLEASE NOTE THAT ITEM 6 WILL NOT BE DISCUSSED IN THE RULES SUBCOMMITTEE, BUT WILL BE DISCUSSED AT THE JUNE 24 AND JULY 8 MEETINGS SO THAT ALL COMMISSIONERS CAN PARTICIPATE IN THE DISCUSSION**

· **Pres Gillespie:** A lot of provisions to this item and inclined to bring it to the Rules Committee, but would like input from Commissioners who do not attend the subcommittee.

· **Com Benjamin:** Suggestions brought to Director from him and Charles Rathbone. Having a manager at each company would make it easier for the companies and commission staff. Financial statements should be provided by every company to their employees. 1099 helps avoid abuses in the system. Gas and gate would control who gets behind the wheel. Is flexible with companies who have less than 5 medallions but does not want to allow single shifters.

· **Com Slaughter:** Important that there are standards but concerned with the penalties. Doesn't like non-compliance and prevention of color scheme change if it occurs. Medallion holders shouldn't be penalized, color scheme should be. Six month random investigations of color schemes should occur to ensure compliance.

Public Comment

· **Mark Gruberg:** Conflict of interest since Commissioner Benjamin helped create rules to benefit larger company which he represents. He should be recused from the vote. A minimum of 5 medallions would be difficult for anyone to start a new color scheme. For smaller companies that have 5 medallions and loose one would mean a suspension.

· **Robert Cesano:** Rule passed conflicts with proposed rule. Credit card issue is expensive and will out small companies.

· **Marty Smith:** Credit card fees are outrageous and color schemes should be allowed to charge a service fee. Delta gets at leat 10 transactions per day. 1099's are an issue since it is not the commission's business what is being charged. This would impose on the business model.

- **Carl Macmurdo:** Agrees with Commissioner Slaughter but shouldn't restrict criteria not adopted by the Commission. Restrictions on manager contact to be an A-card holder or medallion holder doesn't make sense. Credit card issue good for a year, but would cause mistrust since the MUNI debit card swipe program will be launched.

- **Mary McGuire:** 1099's are issued annual by Federal tax law. Debit swipe program to begin soon why do this? Manager requirements don't make sense.

- **Dan Hinds:** Has a problem with a number of proposals. Rule committee should hear this first. No justification for by-passing the Rules committee. Gas and gate requirement would transform the industry.

- **Mike Spain:** Rules are self serving for that cab company.

- **Jim Gillespie:** Doesn't understand the managers' requirement. Debit card swipe program to take place shortly, should wait for its completion.

- **Charles Rathbone:** No prevention of changing out of but rather into a color scheme.

- **Bashir Rahimi:** Commission shouldn't regulate industry.

- **Thomas George Williams:** Monopolized industry doesn't work only favors larger companies.

- **Name:** If you stop long term lease driving will create big problems in trying to get a taxi from a company lot.

- **Jane Bolig:** Should include multiple voices when putting rules together. Long term leasing abuse must be addressed but proposed solution too drastic.

- **Bill Mounsey:** Long term leases worst thing that has happened to the industry. They make more money and the drivers and vehicles are hard to enforce.

- **Mohamed Booya:** Eliminating long term leases not a good idea. Some drive double-shift but otherwise don't violate the rules.

- **Tariq Mehmood:** Allow color schemes to have any managers they want. Airport has lots mostly filled with leased drivers.

7. Adjournment – 8:50pm

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San Francisco Taxicab Commission

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July 8, 2008

TAXICAB COMMISSION AGENDA

July 8, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

07-07-08A09:12 RCVD

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1. Call to Order/Roll Call
2. San Francisco Municipal Transportation Authority Taxi Advisory Group [INFORMATION]
3. Staff Report and Commissioner Announcements [INFORMATION]
4. 2006 Prop K Audit [INFORMATION]

SPECIAL ORDER 8:00-8:30 PM

5. Public Comment (Please limit public comment to items NOT on the agenda)
6. Consideration of Penalties for Clean Air Taxi Program [ACTION]
7. Taxi Commission v. Simon Wong: [ACTION]

- Consideration of Summary Suspension of Medallion # 82, Simon Wong, for violations of MPC §§ 1124 and Rule 4.A.1

8. Consent Calendar [ACTION]
9. Consideration of Possible Regulations for Reconsideration of Medallion Applications Made Prior to February 2008 MPC § 1121 [INFORMATION]
10. Closed Session – Discussion of Robert M. Friedman v. Taxi Commission (San Francisco Board of Appeals, Appeal No. 08-029): Discussion of Potential Settlement Terms [ACTION]

A. Public Comment on all matters pertaining to the closed session.

B. Vote on whether to hold closed session to confer with legal counsel. (San Francisco Administrative Code sec. 67.10(d).) [ACTION ITEM]

C. Closed session pursuant to Government Code sec. 54956.9 and San Francisco Administrative Code sec.67.10 (d).

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
[ACTION ITEM]

Friedman v. Taxi Commission
San Francisco Board of Appeals, Appeal No. 08-029
[Commission as defendant]

D. Reconvene in open session:

(a) Possible report on action taken in closed session. (Government Code sec. 54957.1(a)(2)and San Francisco Administrative Code sec. 67.12(b)(2).) [ACTION ITEM]

(b) Vote to elect whether to disclose any or all discussions held in closed session. (San Francisco Administrative Code sec. 67.12(a).) [ACTION ITEM]

10. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

11. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the June 10, 2008 Taxicab Commission Meeting.

B. Consideration of the Minutes from the June 24, 2008 Taxicab Commission Meeting.

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Permit Applicant:	Medallion #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Souleiman Ghali*	438	Delta	Regular	Not Cleared Yet
2. Larry Shamis	163	Black & White Checker	Regular	Not Cleared Yet
3. Austin Peterson	1333	Big Dog City	Alternative Fuel	Not Cleared Yet
4. Andrew Sinaiko*	1334	DeSoto	Alternative Fuel	Not Cleared Yet

*Continued to July 22, 2008 Hearing

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Leonard Howe	183	DeSoto to Yellow

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the July 22, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Chad Rokeach	1199	Metro to B&W Checker
2. Long V Ngo	467	Bay to Yellow Cab
3. Grigory Andarasnik	822	Luxor to SF Taxi Cab
4. Armand Moulia	266, 267, 268	Arrow to DeSoto Cab

B. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Parveen Shaikh	6-553	MPC §1080(c)(2): Failure to respond and submit an application
2. Richard Healy	6-556	MPC §1080(c)(2): Failure to respond and submit an application
3. Tadesse Tseggai	6-559	MPC §1080(c)(2): Failure to respond and submit an application
4. Dean Najdawi	6-560	MPC §1080(c)(2): Failure to respond and submit an application
5. John L. Huang	6-562	MPC §1080(c)(2): Failure to respond and submit an application

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Ashwani K. Aeri	6-566	Yellow Cab	Alt. Fuel	Not Cleared Yet

D. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		July 22, 2008
2008 Color Scheme and Prop K Audits Report		July 22 and August 26, 2008

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Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

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SAN FRANCISCO LOBBYIST ORDINANCE

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. ***(San Francisco Administrative Code, sec. 67A.1)***

San Francisco Taxicab Commission

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July 8, 2008

TAXICAB COMMISSION MINUTES

July 8, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. Call to Order/Roll Call
Roll Call: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval Absent: Paek

2. San Francisco Municipal Transportation Authority Taxi Advisory Group [INFORMATION]
Deborah Johnson: Taxi advisory group to include 9 members; A-card holder, medallion holder, color scheme permit holder, special events representative, hospitality representative, senior disabled representative and three general public seats. Group to convene by August 15, 2008, will help develop a cohesive business plan. Group should possibly be ready to present to the Board of Supervisors by October 2008.

Public Comment
Peter Witt: Permit fee was not increased and para-transit only makes up 4.1% of the riding pickup.
Jane Bolig: Would like representation from more than one company.
Debra Johnson: Accessible services will merge with the taxi commission and will have a joint director to oversee both departments.
Mariah: Passionate about post k medallion holders to be a part of the industry and those waiting on the list. Has been a taxi driven for 20 years.
Carl Macmurdo: Doesn't know what the group would do but trusts MTA. After merger, would like to see more representation of industry.
Bud Hazelkorn- Disappointed with the advisory panel which doesn't have enough worker representatives.
Barry Taranto: Thought that the advisory group should have more taxi industry representatives and less members of the businesses.

Emil Lawrence: There is not enough transparency on the advisory groups, should have more driver representatives.
Barry Korngold: Should have more medallion holders, A-card holders and not so many others that do not understand the industry.
Unknown: Tariq Mehmood a real honest friend in the taxi industry and should be given the chance to be a member of this group.
Bill Mounsey: Sounds like the taxi advisory group will be the same as the taxi commission. This needs to be in the drivers hands.
Mohamed Booya: 1800 drivers that deal with issues and requests Tariq Mehmood to sit in that seat as a representative.
Tariq Mehmood: Would like to see a colored person representing the industry on this advisory group.
Mark Gruberg: Only one driver on this group that can easily be outvoted.
Daly Tram: Proposed structure is a poor representation of drivers.
Peter VonWigant: Need more representation for drivers.
Jordan Elias: Member of the public and believes that drivers should be considered city and county employees.
Com Breslin: Believes the group is well thought out and a good balance.
Pres Gillespie: Taxi industry should give the MTA some faith in regulating transit and this industry needs to voice their opinion but should give this a chance.
Bruce Oka: Would like to assure members of the public and para-transit groups that this transition will take place smoothly and will be a win-win situation.

3. Staff Report and Commissioner Announcements [INFORMATION]
Executive Director Jordanna Thigpen: Update of weekly activities.
Com Benjamin: Can a color scheme owner demand their drivers pay for workers' compensation or would that be a requirement for the company?
City Attorney: The commission's rule does not specify who has to pay.
Com Oneto: My question is who is paying for the workers' compensation? How much per shift are drivers being charged for workers' compensation?
Com Breslin: Could the executive director possibly make a flow chart of the workers' compensation.
Sergeant Ron Reynolds: Overview of items. Lease agreements must be kept on file at SFPD but there aren't many on file.
Com Slaughter: What company, pre-k or post k? What investigation needs to be done to have that medallion revoked? We have authority over medallion holder and a-card holders and should be able to revoke it.
Sgt Reynolds: Long term lease with Yellow cab.
Com Benjamin: Of the complaints you are investigating how many are long term lease?
Com Breslin: Thank you for working with the hotels and hospitality industry, would like to see A-cards suspended while investigation is ongoing.

Com Slaughter: Should include penalties for color schemes that allow drivers with expired A-cards.
Com Oneto: MPC 1124, requiring leases on file, are there any penalties attached?
Sgt Reynolds: Any violation can be considered a infraction punishable by jail time.
Com Breslin: Would like a status report on the different subcommittees. Is in favor of a surcharge and not a flag drop.
Pres Gillespie: Very few meter tampering cases and if it is traced to the medallion holder it should be a revocation.

Public Comment
Carl Macmurdo: Congratulate Jordanna on executive director appointment.
Barry Taranto: Why hasn't there been an increase in the meter?
Peter Witt: What's the time and place of the July 15, 2008 Charter Reform meeting?
Emil Lawrence: Economic plight of drivers that do not own a medallion is dear.
Bill Mounsey: Sgt Reynolds is great and drivers know this. Hopes he will be a part of the MTA.
Bashir Rahimi: People make mistake should not punish the whole community.
Tariq Rahimi: Should be fair to everyone.
Naim Malik: Thanks Sgt Reynolds. Allow more opportunity to listen to drivers.

4. 2006 Prop K Audit [INFORMATION]
Scott Leon, Investigator: Overview of audit findings.
Pres Gillespie: Why weren't all medallion holders audited?
Director Thigpen: Do not have the staff resources to audit all the waybills. 2007 waybill audit will begin in September.
Com Breslin: Would like to centralize waybills so that staff will not have to manually count waybills.

Public Comment
Charles Rathbone: Surprised to see some medallion holders fail audit.
Barry Taranto: All post k medallions should be audited. Must streamline process and how audits are conducted.
Mary Maguire: Is a full time driver and is offended to be listed as a fail since has no past violations.
Emil Lawrence: Commission should look into back door deal done of approximately 400 medallions.
Jane Bolig: Prop K says public is allowed to increase taxis on the street.
Bill Mounsey: Huge number of medallion holders that are getting away with this and thanks the commission for doing this audit.
Tariq Mehmood: Why has Scott Leon made so many mistakes? How can we believe if this is done correctly?
Naim Malik: Driving requirement should be done 5 days a week not 800 hours.

Name: Not easy to drive and many have disabilities, used to work 11 days in a row now it is very wearing.
Director Thigpen: Accepts responsibility on the errors of staff. Cases brought before the commission will have clear and concise evidence of fraud.

5. Public Comment
Emil Lawrence: Pins on the badges and break off easily because they are made in China. Detail should carry list of expired A-cards.
Barry Taranto: Commissions continuing violations of Sunshine rules. Limos solicit at clubs and bars and should be stopped. Taxi stand at 24th and Mission is far away from the BART station.
Bill Mounsey: Sgt Reynolds informs you of what's going but drivers know this and see these violations daily. Police are not enforcing laws when limos are picking people up.
Robert Vitcha: Spoke with someone staying at Hilton at Kearney and the hotel staff told him that the trip would cost him $75-80. Hotels are abiding illegal limos and have been.
Marty Smith: Filing for a new color scheme and would like Commission to waive color scheme changes for medallions.
Peter Witt: Surveys get thrown out by Commission office. Would like to know why DVDs are thrown out.
Roger Cardenas: At Bay cab there are 2 single shifters who are required to comply or leave the company. There is no coverage including through State fund that covers the medallion holders.
Tariq Mehmood: Drivers spending a lot of money out of their pocket to pay for fuel leaving them with less money for their fees.
Shelly Perry: Has difficulty time trying to find taxis for disabled passengers. Is there anything that can guarantee taxi arrival? Could there be more education on to drivers where the Presidio is?
Mark Gruberg: Yellow is pressuring drivers to make prepayments for vehicles. Drivers are paying $2000 per month and needs to be addressed.
Naim Malik: Drivers should stand in unity and demand a lower gas and gate fee. Companies should be required to change oil and filter and air in the tires.
Bud Hazelkorn: Sgt Reynolds is one of the very few people that does anything about complaints. Vitale hotel has changed their limo policy to allow more taxis to pick up customers.
Peter VonWigant: Was told by Yellow cab management that there are forced to do this by the state. Wants to know why Yellow is being singled out. If they are taking this money, where is it going to held? Are they putting this money into an interest bearing account and whether it is legal. There was a 311 complaint filed in December 2007, but was asked about it today and doesn't remember.
Jim Gillespie: Expired A-card holders are on a list that are not allowed to drive.

6. Consideration of Penalties for Clean Air Taxi Program [ACTION]
Director Thigpen: Overview of item.
Pres Gillespie: Urging Board of Supervisors to adopt the penalties.
Com Breslin: Penalties put teeth into the law but shouldn't be coming up if the color schemes comply.
Com Oneto: Motion to urge the Board of Supervisors to approve the penalties.
Com Benjamin: Second motion
AYES: **Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval** **NO: 0**
ABSENT: Paek **RECUSE: 0**

7. Taxi Commission v. Simon Wong: [ACTION]

a. Consideration of Summary Suspension of Medallion # 82, Simon Wong, for violations of MPC §§ 1124 and Rule 4.A.1

Public Comment
Sgt Reynolds: Overview of item.
Pres Gillespie: This hearing is to only uphold the suspension of the medallion.
Director Thigpen: The medallion has been removed from the broker because it is suspended and it will operate as a gas and gate if that is your will. But the full complaint will come before you closer to the second meeting in August.
Pres Gillespie: What would be the case to continue the suspension, if there's a commitment to operate as gas and gate?
Sgt Reynolds: After interviewing a number of people will be able to learn more details and facts of the case.
Com Suval: Will the 4 layer investigation continue?
Simon Wong: Our intention would be to sign gas and gate but a lease has not been signed. I am also not a broker this is a family business. There are certain rules the drivers must follow including abiding all rules and regulations of the taxi commission. The driver who violates the lease is no longer allowed to operate the cab. Fortuna and American medallions may possibly move from leases to gas and gate so as to not violate the 4 layer rules.
Charles Rathbone: An illegal act occurred and two drivers that are responsible have been told to stay away from Luxor taxis. One driver has been fired and the other was never a driver. All Wong medallions will be transferred from lease to gas and gates. Mr. Wong is also not a broker but a proper representative of the family.
Com Slaughter: Sounds like Mr. Wong is a broker.
Charles Rathbone: Mr. Wong leased the medallion to Mr. Bains. Looks forward to resolving this matter.
Com Oneto: Are any of these leases on file? Would you know if any of the 8 leases are to the same individuals? How can all the leases move so quickly if there are 7 separate leases? Not willing to lift the suspension unless all 7 medallions are gas and

gate.
Sgt Reynolds: Not that I can find and I have not seen the other leases.
Com Slaughter: Should continue the suspension on this medallion since we have authority over these medallions and very little authority over Mr. Bains. Until the color schemes and medallion holders take responsibility as to who drives these cabs, lifting the suspension would be a toothless response. Recommends medallion to be revoked and impose a penalty onto the color scheme.
Com Breslin: Since this is not a public safety issue cannot see any reason to suspend medallion or reinstating the medallion. Very frustrating situation especially since there are no leases on file.
Com Suval: Although there was no public safety issue, there was a driver with no A-card and could potentially cause something worse.
Com Slaughter: Can lift the suspension but look at revocation at the full complaint.
Director Thigpen: The complaint will be brought in August.
Com Oneto: Motion to uphold summary suspension
Com Slaughter: Second motion
AYES: **Breslin, Gillespie, Oneto, Slaughter, Suval** **NO: 0**
ABSENT: Paek **RECUSE: Benjamin**

8. Consent Calendar [ACTION]
Director Thigpen: Continue item C4- Andrew Sinaiko. Sever item C1 for a change of color scheme and D1 for a recusal.
Souleiman Ghali: Learned that his item was being continued because of issues dealing with Delta. However, would like to move his medallion to Luxor and not Delta. No public comment.
Com Slaughter: Motion to approve items A- 6.10.2008 minutes and B- 6.24.2008 minutes.
Com Breslin: Seconds motion.
AYES: **Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval** **NO: 0**
ABSENT: Paek **RECUSE: 0**

Com Oneto: Motion to grant medallion pending background check to C1- Souleiman Ghali
Com Slaughter: Seconds motion.
AYES: **Breslin, Gillespie, Oneto, Slaughter, Suval** **NO: 0**
ABSENT: Paek **RECUSE: Benjamin**

Com Oneto: Motion to grant medallions pending background check to C2- Larry Shamis and C3- Austin Peterson
Com Slaughter: Seconds motion.
AYES: **Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval** **NO:**

0
ABSENT: Paek **RECUSE: 0**

Com Oneto: Motion to approve color scheme change to D1-Leonard Howe from DeSoto to Yellow
Com Slaughter: Second motion
AYES: Benjamin, Breslin, Oneto, Slaughter, Suval **NO: 0**
ABSENT: Paek **RECUSE: Gillespie**

9. Consideration of Possible Regulations for Reconsideration of Medallion Applications Made Prior to February 2008 MPC § 1121 [INFORMATION]
Director Thigpen: Overview of item. Staff has identified 26 possible people that this would impact and there may possibly be more since Taxi Detail was handling that process prior to June 2006. Administrative issue should be addressed by Commission as to how staff would proceed.
City Attorney: Review of resolution.
Com Breslin: If approved do they go to the top of the list?
City Attorney: Yes.
Com Breslin: Very crucial that mailing should be certified mail with return receipts.
Com Benjamin: The 26 should be looked at more thoroughly as to whether they qualify.

Public Comment
Carl Macmurdo: Only know 2 people that are affected. Suspect that others may have no A-cards subsequent to receiving an offer letter.
Emil Lawrence: Changing the rules faster and should set the rules at a specific junction and not allow the laws go back and forth.

10. Closed Session – Discussion of Robert M. Friedman v. Taxi Commission (San Francisco Board of Appeals, Appeal No. 08-029): Discussion of Potential Settlement Terms [ACTION]

A. Public Comment on all matters pertaining to the closed session.
B. Vote on whether to hold closed session to confer with legal counsel. (San Francisco Administrative Code sec. 67.10(d).) [ACTION ITEM]

Com Benjamin: Motions to go into closed session
Com Slaughter: Seconds motion.
AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**
ABSENT: Paek **RECUSE: 0**

C. Closed session pursuant to Government Code sec. 54956.9 and San Francisco Administrative Code sec. 67.10(d).

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [ACTION ITEM]

Friedman v. Taxi Commission
San Francisco Board of Appeals, Appeal No. 08-029
[Commission as defendant]

D. Reconvene in open session:

(a) Possible report on action taken in closed session. (Government Code sec. 54957.1(a)(2) and San Francisco Administrative Code sec. 67.12(b)(2).) [ACTION ITEM]

(b) Vote to elect whether to disclose any or all discussions held in closed session. (San Francisco Administrative Code sec. 67.12(a).) [ACTION ITEM]

Com Slaughter: Motion to not disclose any information discussed in closed session.
Com Oneto: Seconds motion.
AYES: **Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval** **NO: 0**
ABSENT: Paek **RECUSE: 0**

11. Public Comment - None
12. Adjournment – 11:15 pm

San Francisco Taxicab Commission

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July 22, 2008

TAXICAB COMMISSION AGENDA

07-18-08A08:23 RCVD

July 22, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consent Calendar [ACTION]
   SPECIAL ORDER 7:30 – 8:00 PM
4. Public Comment (Please limit public comment to items NOT on the agenda)
5. Consideration of Potential Regulations for Reconsideration of Applications for Medallions Heard Prior to 2008 MPC § 1121 Amendments [ACTION]
6. Consideration of Proposed Rule 5.H.18, Requiring Designated Managers for Color Schemes [ACTION]
7. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)
8. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the June 24, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Chad Rokeach	1199	Metro to B&W Checker
2. Long V Ngo	467	Bay to Yellow Cab
3. Grigory Andarasnik	822	Luxor to SF Taxi Cab
4. Armand Moulia	266, 267, 268	Arrow to DeSoto Cab

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Parveen Shaikh	6-553	MPC §1080(c)(2): Failure to respond and submit an application
2. Richard Healy		

	6-556	MPC §1080(c)(2): Failure to respond and submit an application
3. Tadesse Tseggai	6-559	MPC §1080(c)(2): Failure to respond and submit an application
4. Dean Najdawi	6-560	MPC §1080(c)(2): Failure to respond and submit an application
5. John L. Huang	6-562	MPC §1080(c)(2): Failure to respond and submit an application

D. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Permit Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Ashwani K. Aeri	6-566	Yellow Cab	Alt. Fuel	Not Cleared Yet
2. Andrew Sinaiko*	1334	DeSoto	Alternative Fuel	Not Cleared Yet

*Continued from July 8, 2008 meeting

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 12 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Henry Marsicano	6-563	Luxor Cab	Alt. Fuel	Not Cleared
2. Tesfamariam Zemikael	6-558	Royal Cab	Alt. Fuel	Not Cleared

B. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. David Reyes	6-557	Failure to meet the full-time driving requirement per MPC Code 1121(b). Driver informed TXC Staff that he did not drive from 2006 through 2008.
2. Thomas G. Mehrten	6-564	MPC 1080(c)(2) Failure to respond and submit an application
3. Ghanshyam D. Patel	6-567	MPC 1080(c)(2) Failure to respond and submit an application
4. Parminder Singh	6-571	MPC 1080(c)(2) Failure to respond and submit an application
5. Larry Sager	6-573	MPC 1080(c)(2) Failure to respond and submit an application
6. Kevin L. Nguyen	6-574	MPC 1080(c)(2) Failure to respond and submit an application

C. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2) and Municipal Police Code Section 1081(c) for failure to meet the driving experience required by Section 1148.1 for a ramped taxi permit:

Applicant Name(s):	List #:
1. Marcelos D. Fonseca	6-684

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. George Lancia	846	SF Taxi to Green Cab
2. Olivio Dallagiacoma	720	DeSoto to Arrow Cab
3. Marika Yumas	9038	Arrow to Town Taxi
4. Earnest W Shinn	1148	Luxor to SF Taxi

E. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		

Commissioner Paek		
Request to calendar to work with the Art Commission on approving exterior and interior advertisement designs on taxicabs and what images are appropriate inside and outside of taxis	September 26, 2006	
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		August 12, 2008
2008 Color Scheme and Prop K Audits Report		July 8 and July 22

ACCESSIBLE MEETING POLICY

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3(b), Admin Code

Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcodc.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. ***(San Francisco Administrative Code, sec. 67A.1***

San Francisco Taxicab Commission

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July 22, 2008

TAXICAB COMMISSION MINUTES

July 22, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Director- Jordanna Thigpen, Executive Secretary Tamara Odisho Benjamin – Taxi Commission and City Attorney Tom Owen

1. Call to Order/Roll Call

- **Roll Call**: Benjamin, Breslin, Gillespie, Oneto
  Absent: Paek, Slaughter, Suval

2. Staff Report and Commissioner Announcements [INFORMATION]

- **Executive Director Jordanna Thigpen**: Update and overview.

Commissioner Announcements

- **Com Breslin**: Festival of Sails beginning tomorrow through the weekend. Can we get an update on the Charter reform working group update. Maybe Commissioners can receive the minutes from the meeting?
- **President Gillespie**: Some things have been addressed by the Rules Committee.
- **Com Oneto**: Requesting to agendize Yellow cab's lease agreement for the first meeting in August as an information item.
- **Director Thigpen**: Has met with Yellow Cab and is receiving calls from Supervisors and constituents regarding the Yellow leases.
- **Com Benjamin**: Commends medallion number___ for helping a disabled person who was laying face down in a gutter.

Public Comment:

- **Name**: UTW passing out flyers making drivers nervous. EDD is requiring this.
- **Jane Bolig**: President Gillespie has always attempted to be fair with every speaker.
- **Barry Taranto**: Yellow cab is an issue and should be discussed. Thanks Com

Breslin for the taxi stand in front of Macy's and DPT should enforce that stand.

- **Tariq Mehmood**: EDD has rules, which we should follow. 600 cabs are on a long-term lease and not all are pre-k.
- **Mark Gruberg**: If this Commission calendars the item as informational, then the Commission cannot take action before drivers are required to pay the fee. It should have been on either of the last 2 agendas.
- **Bill Mounsey**: Drivers talk to him all the time and ask him to speak on their behalf at Commission meeting. Drivers cannot afford the full payments and believes there is some reason for this. Item should be addressed. What will be the ramifications if they don't pay?
- **Emil Lawrence**: Why do companies have more control than the Taxi Commission? Issue should be addressed.

3. Consent Calendar [ACTION]

- **Richard Hybels**: Asks drivers to leave his company when they are in multiple car accidents.
- **Name Unknown**: Dean Najdawi is out of the country until September 12, 2008, would like to continue the item until his return.
- **Charles Rathbone**: What's the conflict of interest regarding recusals, shouldn't be an issue.
- **Carl Macmurdo**: Andy career driver. Taxi commission staff overtly auditing his waybills.
- **Jim Gillespie**: Andy has been dispatching since 1984 and a good driver.
- **Graham**: Contribution of Andy Sinaiko is a success.
- **Emil Lawrence**: Has seen Andy in the business for many years. To find a few waybills incorrectly filled in shouldn't be held against him.
- **Jane Bolig**: Certain discrepancies blamed on DeSoto for not properly having correct stamps on waybills.
- **Barry Taranto**: Worried that cabs going to SF Taxi color scheme changes will be brokered.
- **Mark Gruberg**: There are only 4 commissioners and if there is a vote against him, should continue the item rather than vote against it.
- **Com Oneto**: If any Commissioner votes this down then the item will fail. The item should be continued.
- **President Gillespie**: The items in question are listed on the memo.
- **Com Breslin**: Objecting to the summary in the memo and does not like it on the memo. Has heard from a number of people who are typically at odds with each other but support this individual in receiving the medallion.
- **Com Oneto**: Would like to continue this item to have Scott Leon and Vicky Sui present at the next meeting.
- **Com Benjamin**: Would also agree. Can staff provide documentation showing the in discrepancies?

- **Andy Sinaiko**: I thought I went over any and all the issues that are listed here with staff. I can go over point by point any questions in the memo.
- **Director Thigpen:** Item A- minutes to be continued due to incorrect noticing.
- **Pres Gillespie**: Items B2, B3, D1, D2- continued due to lack of quorum. C2- Dean Najdawi continued since he is out of the country.
- **Com Oneto:** Motion to grant color scheme change to B1- Chad Rokeach and B4- Armand Moulia. Remove the following names from the medallion waiting list C1- Parveen Shaikh, C2- Richard Healy, C3- Tadesse Tseggai, C5- John L. Huang
- **Com Benjamin:** Second motion.

AYES: Benjamin, Breslin, Gillespie, Oneto **NO: 0**
ABSENT: Paek, Slaughter, Suval **RECUSE: 0**

SPECIAL ORDER 7:30 – 8:00 PM

4. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Gudu:** Would like a waiver of the notice on the next calendar for a color scheme change.
- **President Gillespie:** Fine, this will be sufficient notice so you can be on the consent calendar.
- **Barry Taranto:** President Gillespie should have been at the Sunshine task force hearing. Sunday street closures are going to be an issue. Credit card fees should be allowed. Shouldn't allow amendments on color scheme applications before the Commission, but should be done outside the meeting.
- **Marcos Teffase**: Fines from GTU for inspection but should not have to pay. Smart cards are sometimes not working properly and do not replenish. Refund forms are available but refund checks do not come quickly.
- **Bill Mounsey**: Passenger told him at least 5 limo drivers solicited her at the baggage claim. What is the Commission doing to resolve this issue? Over 25% of business is lost to limo drivers.
- **Mark Gruberg**: Drivers will not come here and talk about the lease agreements and not many drivers have faith that this commission does nothing for them. Where does the money go and who will be allowed to see the books? No interest or the money will be given to the drivers.
- **Tariq Mehmood**: UTW published a pamphlet that didn't publish the whole message only what they wanted drives to see. Asked Yellow for an extension and they granted it to August 15, 2008 from July 15. UTW collects money from drivers and doesn't pay contributors any interest.
- **Emil Lawrence**: Hybrid is a toxic and costly vehicle. Diesel vehicles are great and are a part of the green technology.

5. Consideration of Potential Regulations for Reconsideration of Applications for Medallions Heard Prior to 2008 MPC § 1121 Amendments [ACTION]

- **Director Thigpen:** Overview of the item.
- **Com Oneto:** Why should we go back and create a law to protect people on this list who didn't drive and are no longer driving? List of over 400 people which doesn't include 2005
- **Com Breslin:** Is this feasible to do this? If we overlooked someone in 2005, would the records be available for the drivers to produce?
- **Dir Thigpen:** Yes they would be.

Public Comment:

- **Carl Macmurdo**: In support of staff recommendation but should look into each applicant to see if there is anyone that has left the industry.
- **Com Breslin**: Are you suggesting we audit this list and check to see if they have A cards?
- **Carl Macmurdo**: Yes.
- **Charles Rathbone**: If there are multiple people that get on this list because they were omitted will they be placed at the top of the list?
- **Bill Mounsey**: If you drive a taxi, you know what the law is. If you need to find out, you go to the Commission office and get the information. All these people who didn't apply are not driving and this shouldn't be allowed.
- **Emil Lawrence**: It's easy to put a database together and wouldn't have to mail anyone.
- **Jim Gillespie**: Companies are required to keep waybills going back 6 years and should have them since 2002.
- **Tariq Mehmood**: Should review the list of who does or doesn't have a current A card.
- **Mark Gruberg**: Supported this due to the failure of notice in 2004. There may be some objections that are not being addressed tonight.
- **Com Oneto**: Are we sending this certified mail? What if the mail returns? What if the driver quit the business because they were removed from the list?
- **Com Breslin**: This is to allow current drivers who were disqualified.
- **Com Oneto:**
- **Com Benjamin**: Don't think we should consider this proposal and shouldn't have to include people who were omitted.
- **Com Breslin:** This should only be considered for people who are currently driving.
- **City Attorney**: That would be up to your discretion.
- **Com Breslin**: This law should only be applicable to current A card holder.
- **Com Oneto:** Amend language to allow applicant come into the staff office beginning August 1 through October 1, 2008, only sending notice to color schemes and posting on the website, must posses an A-card during years of adverse action.

AYES: **Benjamin, Breslin, Gillespie, Oneto** **NO: 0**
ABSENT: Paek, Slaughter, Suval **RECUSE: 0**

6. Consideration of Proposed Rule 5.H.18, Requiring Designated Managers for Color Schemes [ACTION]

- **Director Thigpen:** Overview of the item.
- **Barry Taranto:** Manager should be someone on the payroll, particularly with smaller companies.
- **David Pilpel:** Charter requires 10 day public notice when a new rule will be adopted.
- **Director Thigpen:** This item was noticed at the Rules Committee twice. This has been done in the past.
- **City Attorney:** Commission typically adds an item as information and continue it to the next meeting as an action item.
- **Pres Gillespie:** Continue this item to the next agenda but take public comment.
- **Mark Gruberg**: It would be a mistake to limit this to managers or medallion holders, since there are people working for the company that are not paid.
- **Tariq Mehmood**: The manager should be salaried and paying taxes not a volunteer.

7. Public Comment (Please limit public comment to items NOT on the agenda; also limited to public that did not speak during Special Order)

- **Mary MaGuire**: Malcolm Heinicke made suggestions at Charter Reform that would sell medallions; we hope that is not the case.
- **David Pilpal**: Offers his assistance as Sunshine Task Force member to the Commissioners and staff.
- **Carl Macmurdo**: Thank you for how you handled Daly/Ma. Everyone removed from the list were allowed to appeal which is their legal right, except Ray Delgado.

8. Adjournment

San Francisco Taxicab Commission

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08-11-03A09:54 RCVD

August 12, 2008 - Begins at 5:30PM

TAXICAB COMMISSION AGENDA

August 12, 2008 at 5:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consideration of Amendments to Rules 4.C.1, 5.K.1 and 6.A.11: Eliminating Prepayments/Deposits and Converting the Industry to Daily Shifts (Gas and Gates) Only [INFORMATION AND POSSIBLE ACTION]
4. Consent Calendar [ACTION]
5. Consideration of Addition of Rule 8.A.17, Requiring Minimum Size for Dispatch Services [DISCUSSION AND POSSIBLE ACTION]
6. Consideration of Amendment to Rule 5.G.4, Vehicle Age [ACTION]
7. Consideration of Proposed Rule 5.H.18, Requiring Designated Managers for Color Schemes [ACTION]

   SPECIAL ORDER 9:00 – 9:30 PM
8. Public Comment (Please limit public comment to items NOT on the agenda)
9. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the July 8, 2008 Taxicab Commission Meeting.
B. Consideration of the Minutes from the July 22, 2008 Taxicab Commission Meeting.
C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Ashwani K. Aeri[1]	1335	Yellow Cab	Alt. Fuel	Pending Clearance

2. Henry Marsicano[2]	1336	Luxor Cab	Alt. Fuel	Pending Clearance
3. Tesfamariam Zemikael[3]	1337	Royal Cab	Alt. Fuel	Pending Clearance

[1]Continued from July 22, 2008 meeting due to lack of quorum.
[2]Applicant does not meet the full-time driving requirement – See memorandum.
[3]See attached memo

D. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. David Reyes	6-557	Failure to meet the full-time driving requirement per MPC Code 1121(b). Driver informed TXC Staff that he did not drive from 2006 through 2008.
2. Thomas G. Mehrten	6-564	MPC 1080(c)(2) Failure to respond and submit an application
3. Ghanshyam D. Patel	6-567	MPC 1080(c)(2) Failure to respond and submit an application
4. Parminder Singh [4]	6-571	MPC 1080(c)(2) Failure to respond and submit an application
5. Larry Sager	6-573	MPC 1080(c)(2) Failure to respond and submit an application
6. Kevin L. Nguyen	6-574	MPC 1080(c)(2) Failure to respond and submit an application

[4]Requesting a continuance because he is out of the country

E. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2) and Municipal Police Code Section 1081(c) for failure to meet the driving experience required by Section 1148.1 for a ramped taxi permit:

Applicant Name(s):	List #:	Reason:
1. Marcelos D. Fonseca	6-684	Driver is no longer interested in the ramp medallion permit and is unable to meet the ramp driving requirements.

F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. George Lancia	846	SF Taxi to Green Cab
2. Olivio Dallagiacoma	720	DeSoto to Arrow Cab
3. Marika Yuhas	9038	Arrow to Town Taxi
4. Long V Ngo[5]	467	Bay to Yellow Cab
5. Grigory Andarasnik[5]	822	Luxor to SF Taxi Cab
6. Abdulbaki Gudu[6]	9012	DeSoto to Arrow Cab

[5] Continued from the July 22, 2008 hearing due to a lack of quorum
[6] Commission voted to waive notice at July 22, 2008 hearing

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 26 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Dev R. Narewatt	6-568	National Cab	Alt. Fuel	Pending Clearance
2. Kathleen Hughes	6-572	DeSoto Cab	Alt. Fuel	Pending Clearance
3. Chen W. Lee	6-585	Regents Cab	Alt. Fuel	Pending Clearance
4. Seyran Amzayan	6-592	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
5. David K. Chan	6-990	DeSoto Cab	Ramp	Pending Clearance

B. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c) (2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Marian L. Zaouk	6-565	MPC Code 1121(b) Failure to meet the full-time driving requirement. Applicant stated that she only worked part-time in 2005, 2006 and 2007. She was advised that she coul go through the application procedure if she wished, however, she failed to submit necessary applications.
2. Alice D. Mak	6-576	MPC 1080(c)(2) Failure to respond and submit an application
3. Fontaine Lai	6-577	MPC 1080(c)(2) Failure to respond and submit an application
4. Daniel Huang	6-578	MPC 1080(c)(2) Failure to respond and submit an application
5. Richard Lubinski	6-581	MPC 1080(c)(2) Failure to respond and submit an application
6. Gary Habeeb	6-583	MPC 1080(c)(2) Failure to respond and submit an application
7. Serajul Islam	6-584	MPC 1080(c)(2) Failure to respond and submit an application
8. Chuong S. Ta	6-588	MPC 1080(c)(2) Failure to respond and submit an application

C. Consideration of Taxi Commission to Allow Medallion Holder to Park Taxi at Alternate Site:

Applicant Name:	Medallion #:	Alternate Site:	Color Scheme:
1. B&W Checker	9 medallions	2560 Marin Street S.F.	B&W Checker
2. SF Taxi*	Entire taxi fleet	1600 Davidson St S.F.	SF Taxi Cab Co
3. Ronald Brothers	349	1390 Market Street S.F.	Yellow

* Applicant has made inconsistent statements regarding this issue

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Wondwossen Mekbeb	277	DeSoto to Arrow Cab
2. Melaku Girma	585	DeSoto to Bay Cab
3. Getachew Yadeta	9017	DeSoto to Comfort Cab
4. Levon Daniltan	9075	DeSoto to SF Taxi
5. Ronald Wolter	1252	Arrow to Green Cab
6. Yen Ngoo Le	1209	Royal to Bay Cab

E. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing

Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Certificate program	July 22, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		ongoing
2008 Color Scheme Report		

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TAXICAB COMMISSION MINUTES

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August 12, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Director Jordanna Thigpen, Executive Secretary Tamara Odisho, City Attorney Tom Owen

Executive Director Jordanna Thigpen- Reads cell phone admonishment

5. **Call to Order/Roll Call**

Roll Call: Benjamin, Breslin, Gillespie, Oneto, Suval

Absent: Paek, Slaughter

2. Staff Report and Commissioner Announcements [INFORMATION]

*There were no Commissioner or staff comments on this item.

Public Comment

Peter Witt: Staff does not regulate but is overseer of the industry.

Jim Kennedy: Role of Executive director is not regulator but rather an enforcer. Why are there surprise inspections? Staff and other agencies raided American cab company on July 3, 2008.

Keith Raskin: Working on a illegal flyer to put onto taxis.

Ron Fishman: July 3, 2008 American cab had only 3 days to fix issues and was very inappropriate.

3. Consideration of Amendments to Rules 4.C.1, 5.K.1 and 6.A.11: Eliminating Prepayments/Deposits

and Converting the Industry to Daily Shifts (Gas and Gates) Only [INFORMATION AND POSSIBLE ACTION]

Com Oneto: Concerned with prepayments at Yellow cab.

Executive Director Thigpen: Overview of item and power point presentation.

Com Breslin: Are all taxi companies paying UI now? Commission should find out if drivers are considered contractors or employers.

Executive Director Thigpen: EDD regulates who is an employee or contractor.

Anne Hipshman, Industry of Labor Relations: Overview of power point presentation

Com Oneto: Are prepayments illegal?

Ms. Hipshman: Gas and gate system has carried approval through the court. But it may be illegal. Employee can't be required to pay to go to work and is illegal under California law.

President Gillespie: Difficult to pass a law that the Commissioners have just learned about.

Com Oneto: For those who didn't understand what I explained before, long term lease was included because I was not sure which way Yellow cab was going with this. Leases were in this because I needed to notice in 10 days and the Board of Supervisors.

Public Comment

Jim Gillespie: Yellow has been in council with legal counsel, state folks and other agencies will discuss this issue and reserves comments to a later time.

Com Oneto: Will Yellow implement the prepayments? The Commission is responding to A card holders who are part of the regulatory process without informing the commission.

Jim Gillespie: This is a business decision and not a rules and regulations decision that the Commission regulates. We are changing the way we are collecting our funding and not being secret about it and didn't see it as a necessity to come to the Commission.

Com Oneto: Are the drivers going to be given interest on their prepayments?

Richard Weiner: Yellow's motivation is to be able to maintain customer service and has been in the lease for years to be able to collect in either the beginning or the end of their shift. Yellow has set the standards for the industry over the years.

Jim Kennedy: Compliments to the Commission for placing this item on the agenda. A lot of these drivers are not paying taxes. This is the most overregulated business and Commission should let the market delegate the industry.

Tariq Mehmood: Considers himself as an independent contractor and not an employee.

John Han: Spoke with EDD auditor and was told that 28 day prepayment is legal. But Yellow cabs policy is questionable and nothing is in writing and there is no written policy that can refer to. The contract also states that 25% of the deposit will be held which is considered as a deposit.

Mark Gruberg: Fire burning at Yellow cab that needs to be put out. Yellow cab is requesting the Commission to table this item, but they are not tabling this item. They are being dishonest.

Ron Fishman: If the lease agreement was illegal the companies would be sued. If drivers would be considered as employees then the cost of running a company would be higher and would request higher gas and gates. Cab drivers prefer independent contractor status.

Kadrundra: UTW is objecting because they want us to be employees, we are independent contractors. As employees we would have to cut 50% of our salary, which is why we don't want to be employees.

Sam Arayn: Companies must make money and drivers should have the freedom to choose between employees or independent contractors. Commission should not over regulate.

Charles Rathbone: The focus is 100% on drivers and companies. Gates and gases has its (+) and (-), service interruptions have not happened since. City should take a long hard look before changing the system.

Carl Macmurdo: Found the speaker to be overbearing. Industry cannot regulate employees

Keith Raskin: Prepayment could have possible benefits since the drivers would be able to have some interest.

Steven Reemers: Know what we are doing and have been doing it for years. Yellow spent a long time figuring this out and know drivers live paycheck to paycheck.

Emil Lawrence: If Yellow goes bankrupt and take the money from drivers it will be an issue that has not been addressed. Prepayment also pays for days that drivers do not work. Shareholders at Yellow want more income which is why Yellow is requiring the prepayments.

Bud Hazelkorn: Only drivers who make money have second and third incomes. Many drivers make less than $100/day. Absurd one must have to pay to work.

Dave Schnider: What Yellow is doing is exploiting drivers. At one point, all employees had benefits.

Blake Derby: Requests a full commission. Vast majority want to be independent contractors. Elaborate ruse of the City to over regulate the business. City owns the medallions, why doesn't it take the liability?

Thomas George Williams: State sees drivers as employees and the federal government as independent contractors. Canada has created another category called dependent contractors.

President Gillespie: Are you being treated as an employee or as an independent contractor at Green Cab?

Thomas George Williams: I pay gas and gates.

Mary McGuire: Mark Gruberg tells everyone what to do, why doesn't he treat his drivers like employees?

Mike Spain: Yellow often acts based on a force that they need to protect their interests. Anyone can shuttle people around and work by the hour. Why would cab drivers not opt for those jobs? Because they like the freedom they have to make as much as they can in 10 hours and they most prefer that status.

Jane Bolig: Understands the urgency of the August 15 deadline, but heard Jim Gillespie say they pushed the deadline to December and will have several months to decide. These issues are not entirely clear and hope there is an accommodation with the full facts.

Name Unknown: Drivers would like to be considered independent contractors, other jobs do not allow them this flexibility.

John Reigns: Always has been considered independent contractor but has heard the issue being tossed around about the legality of Yellow charging this deposit. Commission disallowed that completely and Yellow is thumbing their noses at the law and now nothing is being done. Why is there a need for discussion if it is illegal for Yellow Cab being allowed to do it?

David Miller: Single shifter at Yellow, cannot believe they don't understand that prepayment will have the opposite effect they think it will have. Suggests the Commission act strongly tonight.

Peter Witt: Yellow should reflect on driver morale and asks how they expect a new driver to want to come into the company.

Liz Bradley: Has some money saved for a surgery to have a broken arm fixed and is resentful towards Yellow for that. She is losing $500-700 a month for gas. Commission has not taken a stance towards anything.

Com Breslin: Jim you mentioned that long-term leases was being left off until December. Would Yellow be willing to postpone the August 15 deadline? Is a business person and knows there are things she is not privy too but would like to know.

Jim Gillespie: The only action being taken on August 15 is the payments of gas and gate before the shift which is in the contract.

Susan Suval: If you prepay and you don't drive do you have to pay? What percentage of the industry is long term leases?

President Gillespie: No action until better understands what's going on. What he heard from the state is contrary to what others in the state are practicing. Does not appreciate what the Board of Supervisors did without holding a hearing and without understanding the issue.

Com Breslin: There's a lot of information that is being brought to the table. Charging for a vehicle is charging for a tool and not for work. Is asking Yellow to strongly consider a delay of implementing this practice. There is a certain stability to be gained. Not prepared to make a change in the industry.

President Gillespie: Strongly urges the Federal government, state and local companies to work out this issue sooner rather than later.

Com Oneto: Board of Supervisors are trying to protect low income working people. Yellow should have come to the table to discuss this and this doesn't change the employment status of the cab drivers since this won't even fix their problem. Should only implement the prepayment system after the research is done. Yellow brought the August 15 deadline, we didn't set it.

Com Breslin: The Supervisors' resolution only urges why didn't they prohibit it? It puts us in a position of a legal binding issue, which should be addressed in court.

Com Benjamin: Even if this is implemented on August 15, why can't we do something after? I haven't seen many Yellow cab people complaining.

Com Oneto: Only medallion holders came to speak and not A-card holders. If they don't pay they can't drive. Would like to have a round table with all the parties before this item is tabled.

Susan Suval: Should stop this until we have a hearing.

Pres Gillespie: What the state is asserting is the law and what the state is practicing are on a collision course.

Com Oneto: Ten day notice allows a rule change. Can we make a resolution that would allow the commission to make a rule change suspending prepayments?

City Attorney: Yes, you can make a regulation. You can adopt a resolution urging them to hold off on taking a prepayment until the Commission makes a decision.

Com Benjamin: We shouldn't be regulating the business until we see a problem. Trying to anticipate what will happen is difficult, we should come back to this after they have already implemented it.

4. Consent Calendar [ACTION]

Pres Gillespie: Continue to call of the chair items C2- Henry Marsicano, C3- Tesfamariam Zemikael, D1- David Reyes, D4- Parminder Singh, and F4- Long Ngo and F5- Grigory Andarasnik for recusals.

Public Comment:

Charles Rathbone: Item C2-Henry Marsicano thought his ADA accommodation was a full waiver of his driving requirement. Urge Commission to grant his medallion.

Jim Kennedy: Noticed a lot of DeSoto drivers leaving the company because it increased the cost of doing business.

David Reyes: Working two jobs and is on disability because was hurt on the job as a MUNI operator. Would like an extension.

Emil Lawrence: How does the Commission audit waybills,

Mary McGuire: Green cab solicits medallion holders and wonders why George Lancia is going to Green cab.

Thomas George Williams: Offers very competitive deals to medallion holders and new vehicles and plenty reasons to come to the company.

President Gillespie: Will continue agenda items 5-7 but will take public comments.

5. Consideration of Addition of Rule 8.A.17, Requiring Minimum Size for Dispatch Services [DISCUSSION AND POSSIBLE ACTION]

Jim Kennedy: Waited all night for this agenda item and is now being continued. If you close down the dispatch companies' drivers will not have options for transferring their medallions.

8. Public Comment (Please limit public comment to items NOT on the agenda)

Peter Witt: Has submitted 2008 taxi survey.

Carl Macmurdo: Board of Appeals hearing of Young Yi and because the Commission has not adopted an ADA policy for applicants on the list and so the Board has.

Liz Bradley: Where's the surcharge for the drivers, need relief.

Mark Gruberg: Commissioners typically represent their seats and Paul doesn't represent drivers.

Jim Kennedy: Dispatch survey unethical and incorrect. American has ads in the yellow pages which are better than the other company.

Ron Fishman: To keep up with inflation the meter should be $3.20/mile. Amazing that no one in the city has taken an action to alleviate the burden of gas.

Mary McGuire: You had no right to send people home.

Jane Bolig: Doesn't think the job of an advocate must always take a proper position has never taken a destructive position and thanks him for being fair.

Naigm Malik: Do something for the drivers, bill of rights, decrease the gas and gate.

Marty Smith: It took a lot of power to be up here tonight and do what you did.

Robert Dunkinson: Doing a good job

Thomas George Williams: Companies should pay for gas. Pilots do not pay their own gas, city hall is not doing anything right now, tip your driver better.

9. Adjournment - 9:55 PM

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San Francisco Taxicab Commission

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August 26, 2008

TAXICAB COMMISSION AGENDA

August 26, 2008 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consideration of Amendment to Rule 5.G.4, Vehicle Age [ACTION]
4. Consideration of Proposed Rule 5.H.18, Requiring Designated Managers for Color Schemes [ACTION]
5. Consent Calendar [ACTION]

   SPECIAL ORDER 7:30 – 8:00 PM
6. Public Comment (Please limit public comment to items NOT on the agenda)
7. Taxi Commission v. American Cab Co.: Disciplinary Hearing for Medallion # 82 for Violations of 4.A.1, 4.A.3, 4.A.4, 4.C.1, and MPC § 1124 [ACTION]
8. Hearing for Clarification of Ownership and Management Status of Delta Cab Company [DISCUSSION AND POSSIBLE ACTION]
9. Consideration of Resolution Urging San Francisco Taxicab Companies Not To Require the Collection of Deposits and Prepayments From Drivers [POSSIBLE ACTION]
10. Consideration of Resolution Urging the Governor to Sign SB1519 [ACTION]
11. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the August 9, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Henry Marsicano[1]	1336	Luxor Cab	Alt. Fuel	Pending Clearance
2. Tesfamariam Zemikael [2]	1337	Royal Cab	Alt. Fuel	Pending Clearance

3. Dev R. Narewatt[1]	xxxx	National Cab	Alt. Fuel	Pending Clearance
4. Kathleen Hughes	1338	DeSoto Cab	Alt. Fuel	Pending Clearance
5. Wei Chen Lee	xxxx	Regents Cab	Alt. Fuel	Pending Clearance
6. Seyran Amzayan	xxxx	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
6. David K. Chan	9019	DeSoto Cab	Ramp	Pending Clearance

[1] See attached memo

[2] Applicant does not meet the full-time driving requirement – See memorandum.

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name(s)	List #	Reason
1. Marian L. Zaouk	6-565	MPC Code 1121(b) Failure to meet the full-time driving requirement. Applicant stated that she only worked part-time in 2005, 2006 and 2007. She was advised that she could go through the application procedure if she wished, however, she failed to submit necessary applications.
2. Alice D. Mak	6-576	MPC 1080(c)(2) Failure to respond and submit an application
3. Fontaine Lai	6-577	MPC 1080(c)(2) Failure to respond and submit an application
4. Daniel Huang	6-578	MPC 1080(c)(2) Failure to respond and submit an application
5. Richard Lubinski	6-581	MPC 1080(c)(2) Failure to respond and submit an application
6. Gary Habeeb	6-583	MPC 1080(c)(2) Failure to respond and submit an application
7. Serajul Islam	6-584	MPC 1080(c)(2) Failure to respond and submit an application
8. Chuong S. Ta	6-588	MPC 1080(c)(2) Failure to respond and submit an application

D. Consideration of Taxi Commission to Allow Medallion Holder to Park Taxi at Alternate Site:

Applicant Name:	Medallion #:	Alternate Site:	Color Scheme:
1. B&W Checker	9 medallions	2560 Marin Street S.F.	B&W Checker
2. SF Taxi*	Entire taxi fleet	1600 Davidson St S.F.	SF Taxi Cab Co
3. Ronald Brothers	349	1390 Market Street S.F.	Yellow

* Applicant has made inconsistent statements regarding this issue

E. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:

1. Wondwossen Mekbeb	277	DeSoto to Arrow Cab
2. Melaku Girma	585	DeSoto to Bay Cab
3. Getachew Yadeta	9017	DeSoto to Comfort Cab
4. Levon Daniltan	9075	DeSoto to SF Taxi
5. Ronald Wolter	1252	Arrow to Green Cab
6. Yen Ngoo Le	1209	Royal to Bay Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered at the September 9, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. James Y. Leng	6-569	Royal Taxi	Alt. Fuel	Pending Clearance
2. Philip Lo	6-575	Regents Cab	Alt. Fuel	Pending Clearance
3. Elvis S. Tran	6-579	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
4. Louise I. Nmezie	6-580	Best Cab	Alt. Fuel	Pending Clearance
5. David A. Wong	6-586	SF Taxicab	Alt. Fuel	Pending Clearance
6. Kirkyin Lim	6-587	Regents Cab	Alt. Fuel	Pending Clearance
7. Froilan Lumbang	6-589	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
8. Antonio Yon	6-590	Regents Cab	Alt. Fuel	Pending Clearance
9. Vladimir Talian	6-591	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance

B. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2) and Municipal Police Code Section 1081(c) for failure to meet the driving experience required by Section 1148.1 for a ramped taxi permit:

Applicant Name(s):	List #:	Reason:
1. Wei Chen Lee	6-585	One year time waiver expired; No longer interested in the ramp medallion permit.

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Stephen Tan	1153	Yellow Cab to SF Town Taxi

D. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		

Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Certificate program	July 22, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		
2008 Color Scheme Report		

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Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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August 26, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. **Call to Order/Roll Call**

- **Roll Call**: Com Benjamin, Vice President Breslin, President Gillespie, Com Oneto, Com Slaughter and
  Com Suval **Absent:** Com Paek

2. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Executive Director Jordanna Thigpen:** Overview of staff report.
- **Com Oneto:** Why did Board of Appeals set an ADA policy for the drivers on the medallion waiting list?
- **Executive Director Thigpen:** The Commission's ADA policy only applies to medallion holders and stated on the record that the Board does not have the authority to make that accommodation.
- **No Public Comment**

3. **Consideration of Amendment to Rule 5.G.4, Vehicle Age [ACTION]**

- **Executive Director Thigpen:** Overview of the item.
- **No public comment**
- **Com Oneto:** Motion to approve resolution.
- **Com Benjamin:** Second motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

4. **Consideration of Proposed Rule 5.H.18, Requiring Designated Managers for Color Schemes [ACTION]**

- **Executive Director Thigpen:** Overview of the item.

Public Comment:

- **Jim Gillespie:** Can we have more than one manager?
- **Executive Director Thigpen:** Yes and it specifically provides for that.
- **Jane Bolig**: Can we also have a temporary designee?
- **Executive Director Thigpen:** Yes
- **Pres Gillespie**: Would like to amend the reporting date from September 1, 2008 to September 15, 2008.
- **Com Oneto:** Motion to approve with amendment.
- **Com Breslin**: Second motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

5. **Consent Calendar [ACTION]**

- **Executive Director Thigpen:** Remove items B1, B2, B3, B5, B6, B7, C1, all of D for further discussion.

Public Comment:

- **Charles Rathbone:** Henry Marciano is a current ramp medallion holder and only short 24 hours because of misunderstanding of the ADA policy. He hasn't falsified any documents.
- **Ron Fishman:** No one understood the ADA accommodation under Tristan Bettencourt since it wasn't granted on a calendar year.
- **Tesfamariam Zemikael:** Has been driving for many years.

- **Jane Bolig:** Congratulations to Kathleen Hughes on receiving her medallion.
- **Tom Stanghellini:** Henry Marciano has been driving a ramp medallion for years and is a good driver. Commission should not be nit picking.
- **Barry Taranto:** Kathy Hughes great driver. Item E 4 is a ramp and is transferring to SF Taxi and does not have gas and gate.
- **Bob Vitcha:** Marian Zaouk C-1 works in dispatch and is a good driver and provided a lot of service and should be considered.
- **Chris Sweis:** Tesfamariam Zemikael has been a driver for a long time and has been a full -time driver.
- **Gratch:** Bay Cab doesn't have legal right to use property and urges any color scheme changes be suspended until the situation is resolved.
- **Marty Smith:** Roger Cardenas does pay rent to David Van.
- **Com Breslin:** Approve A: Minutes B4: Kathleen Hughes, C2: Alice Mak, C3: Fontaine Lai, C4: Daniel Huang, C5: Richard Lubinski, C6: Gary Habeeb, C7: Serajul Islam, C8: Chuong Ta, E1: Wondwossen Mekbeb, E2: Melaku Girma, E3: Getachew Yadeta, E4: Levon Daniltan, E5: Ronald Wolter, E6: Yen Le
- **Com Oneto:** Second motion

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

- **Exective Director:** B1- Henry Marsicano came into the office to discuss waybill issue. Commission can request he produce quarterly waybills for a one year audit.
- **Com Breslin:** Motion to approve with quarterly audits
- **Com Suval:** Second motion

AYES: Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: Benjamin**

- **Pres Gillespie:** Willing to grant a continuance to B-2 Tesfamariam Zemikael.

- **Com Slaughter:** Reluctant to grant medallion on this basis. But has he been driving and has National lost these waybills?
- **Com Breslin:** Why doesn't National have waybills for either 990 or 496?
- **Com Oneto:** Ready to move on this item.
- **Tesfamariam Zemikael:** Has driven and submitted all waybills in the years driving.
- **Pres Gillespie:** Doesn't want to grant continuance unless you can clear this up with the color schemes involved. Must provide evidence at next meeting.
- **Com Oneto:** Motion to approve B 7- David Chan with the requirement that he retrains with PCC on wheelchair tie downs.
- **Com Slaughter:** Second motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

- **Pres Gillespie:** Item C1- Marian Zaouk long timer in the industry,
- **Marian Zaouk:** Has not driven enough hours over the years. Thought the key management exemption applied to her as well.
- **Com Suval:** Motion to remove C1- Marian Zaouk from the waiting list.
- **Com Oneto:** Second motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

- **Sergeant Reynolds:** Addresses item D1- B&W Checker. The location 2526 Marin Street has no fencing, retaining walls and is a carwash, not appropriate for parking taxis. Drainage for the area is in the carwash and both the fire and environmental departments would need to inspect and approve the site.
- **Keith Raskin:** 2560 Marin Street has been repaired within the last 6 months, fencing has been installed and drainage goes through the carwash system.
- **Gratch:** Need the space for the taxis. The lot at 999 Pennsylvania is marked and identified but space is limited and room is needed for spare vehicles.

- **Sergeant Reynolds:** Item D2- SF Taxi, hasn't been to the property in several months. But remembers no pavement, electricity, or drainage. Fire and environmental departments would need to inspect and approve as well.

- **Jack Trad:** 1600 Davidson is no longer dirt and has spent a lot of money restoring that site. Contract to use the property stricktly prohibits washing of vehicles or oil changes.

- **Sergeant Reynolds:** Item D3, Mr. Brother's wants to park his vehicle at Fox Plaza due to health issues. But unfortunately this is a residential/ office space and is inappropriate.

- **Pres Gillespie:** Doesn't approve of taxis parking offsite or at home when belonging to a color scheme like Yellow.

- **Com Oneto:** Motion to not approve D3- Ronald Brothers to park offsite.

- **Com Slaughter:** Second motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

- **Pres Gillespie:** Continue items D1 and D2 for further investigation.

SPECIAL ORDER 8:00 – 8:30 PM

6. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Barry Taranto:** Staff should have workshop for drivers to fill out waybills. Dispatchers should be eligible but rules are rules. Staff doing a great job under Jordanna.

- **Emil Lawrence:** Waybill system is obsolete. Digitals copies can be easily emailed to the Commission. Spare is running out at the companies.

- **Bob Vitcha:** Drove cab in NYC for 12 years and parked on the street. Cannot understand why people are complaining. Taxis are common conveyances.

- **David Pilpal:** Staff should enforce public to bring packets back to the table. Item 9 should mention the Board of Supervisors' resolution urging the Commission to make a ruling on the issue.

- **Masoud Chasouli:** Was removed from the waiting list because the Commission had the wrong mailing address. Should be reinstated.

- **Director Thigpen:** Will allow him to come to the office and reapply under Daly/ Ma.

- **Jane Bolig:** Congratulation to David Chan for receiving a medallion. Hopes there's a way to satisfy the alternate parking issue for Mr. Brothers.

- **David Schnider:** UTW represents the spirit of the American labor movement.
- **Mohammed Booya:** Hotels have limos and see them taking over even at the airport. When he calls the police at the airport, no ones seems to respond
- **Zuhair:** UTW doesn't represent him. Need meter increase, many drivers have waybill problems.
- **Assad:** Gate was increased but nothing to help drivers. Damaging business. People are reluctant to take taxis if meter is increased.
- **Tariq Mehmood:** Waybills are being faked, gas prices are hurting drivers. UTW has been defeated multiple times and will not go away.
- **Carl Macmurdo:** Only alternative to waybill is a carbon paper copy.
- **John Han:** Should allow taxis to pick up and drop off at bus stops. No copies of the lease agreement have been distributed. A copy of the lease should be mandatory when the driver signs.
- **Ruah Graffis:** Every driver should get a copy of their contract. No free parking on street for taxis but are allowed legally up to 4 hours.

7. **Taxi Commission v. American Cab Co.: Disciplinary Hearing for Medallion # 82 for Violations of 4.A.1, 4.A.3, 4.A.4, 4.C.1, and MPC § 1124 [ACTION]**

- **Executive Director Thigpen:** Overview of item. The medallion has reverted to gas and gate addressing the multiple layers issue.
- **Simon Wong:** All the American Cab Company medallions are now gas and gate.

Public Comment:

- **Charles Rathbone:** Terrible that this occurred but all the corporate medallions are now gas and gate.
- **Thomas Stanghellini:** Medallion has been suspended for 70 days and is now gas and gate, the issues are now resolved and the medallion should be back on the street.
- **Com Slaughter:** Motion to lift suspension on medallion #82
- **Com Breslin:** Second motion

AYES: Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: Benjamin**

8. **Hearing for Clarification of Ownership and Management Status of Delta Cab Company [DISCUSSION AND POSSIBLE ACTION]**

- **Executive Director Thigpen:** Overview of the item.
- **City Attorney:** Permit has been held by one person and the commission can hold a hearing. But nothing can be done until a transfer of permit is applied for.
- **Com Slaughter:** Commission should treat David Van as owner. This case should be brought to civil court to be decided.
- **Sergeant Reynolds:** Doesn't want and can't get involved in the civil actions. Concern is for the drivers affected by this, similar to Worldwide and Union. Color scheme is not running properly and will be addressed by staff at a later time.

(No action taken)

9. **Consideration of Resolution Urging San Francisco Taxicab Companies Not to Require the Collection of Deposits and Prepayments from Drivers [POSSIBLE ACTION]**

- **Com Breslin:** Has the commission setup a meeting with EDD? We should hear from them before voting on this resolution.
- **Executive Director Thigpen:** Anticipates someone from EDD coming to a taxi commission meeting.
- **Com Oneto:** The resolution only urges the company not to proceed, it's not a directive. At last Commission meeting, we agreed to support that.
- **Com Benjamin:** Comments made have not been from drivers who say they do not want this policy to move forward.
- **Com Slaughter:** Needs more clarity on the issues and can't pass the resolution as it stands. If it is illegal the taxi commission need not take a stand on the issue.

Public Comment:

- **Ruach Graffis:** At UTW meeting frantic drivers frantic showed receipts they were being of being charged twice.
- **Emil Lawrence:** American charges $20 prepayment per shift. Yellow uses cash string for administrative fees.

- **Bill Mounsey:** Thought Pres Gillespie would recuse from commenting on this issue. Knows people who've paid upfront and not got back any money. Why does Yellow want to do this?
- **Mauro:** Recently left Yellow after being there for 13 years. Drivers paying 4-5 days in advance. Brazilian drivers afraid to come to speak before the commission on fear of losing their jobs. Hard to find shifts at other companies, no where else to go.
- **Mark Gruberg:** What more could the Commission need to vote on this? Board of Supervisors already passed the resolution.
- **Jane Bolig:** There's a lot we do not know. Yellow SJ charged 7 million for back taxes and Yellow SF is trying to save gas and gate, not destroy it.
- **Richard Weiner:** Yellow has backed off and is using a section of the lease to be able to collect payment, nothing new. Doing what we need to stay in business. Of the 998 drivers, not many are complaining.
- **Barry Taranto:** Interesting banter between driver representative and union representative. DIR showed the commission what it needed to see.
- **Jim Gillespie:** No other city in the country has gas and gate.
- **Com Oneto:** Motion to adopt resolution:
- **Com Suval:** Second motion

AYES: Oneto, Slaughter, Suval **NO: Benjamin, Breslin, Gillespie**

ABSENT: Paek **RECUSE:**

- **Executive Director Thigpen:** Motion fails.

10. **Consideration of Resolution Urging the Governor to Sign SB 1519 [ACTION]**

- **Executive Director Thigpen:** Overview of the item

Public Comment:

- **Richard Weiner:** Out of town Yellows are a problem and we hope this will remedy the issue.
- **Com Oneto:** Motion to approve this item
- **Com Slaughter:** Second motion.

AYES: Benjamin, Breslin, Gillespie, Oneto, Slaughter, Suval **NO: 0**

ABSENT: Paek **RECUSE: 0**

11. **Adjournment – 10:30 pm**

Explore:

- SFMTA Board
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- Bicycle Meetings
- Livable Streets
- Taxi Meetings
- Walk Meetings
- Parking Meetings
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San Francisco Taxicab Commission

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September 9, 2008

TAXICAB COMMISSION AGENDA

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September 9, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consideration of P-16 Permit Applicant Andrew Sinaiko's Qualifications to Receive a P-16 Permit [ACTION]
4. Consent Calendar [ACTION]

   SPECIAL ORDER 8:00 – 8:30 PM
5. Public Comment (Please limit public comment to items NOT on the agenda)
6. Consideration of Excessive Criminal/Administrative Violations Noted in the Past Six Months [DISCUSSION AND POSSIBLE ACTION]
7. Consideration of Proposed Ordinance 080438 Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums [DISCUSSION AND POSSIBLE ACTION]
8. Consideration of Possible Working Group for "Taxi Wrap Benefit Fund" to Determine Disposition of Funds Collected From Taxi Wraps [INFORMATION AND DISCUSSION]
9. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the August 26, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	List #:	Color Scheme:	Medallion Type:	Police Background Check:
1. Tesfamariam Zemikael [1]	1337	Royal Cab	Alt. Fuel	Pending Clearance
2.. James Y. Leng	1342	Royal Taxi	Alt. Fuel	Pending Clearance
3. Philip Lo	xxx	Regents Cab	Alt. Fuel	Pending Clearance
4. Elvis S. Tran	1344	Yellow Cab	Alt. Fuel	Pending Clearance

		Co-Op		
5. Louise I. Nmezie	1345	Best Cab	Alt. Fuel	Pending Clearance
6. David A. Wong	1346	SF Taxicab	Alt. Fuel	Pending Clearance
7. Kirkyin Lim	1347	Regents Cab	Alt. Fuel	Pending Clearance
8. Froilan Lumbang	1348	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
9. Antonio Yon	1349	Regents Cab	Alt. Fuel	Pending Clearance
10. Vladimir Talian	1350	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance

[1] Applicant does not meet the full-time driving requirement – See memorandum.

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

1. Dean Najdawi[1]	6-560	MPC §1080(c)(2): Failure to respond and submit an application
2. Parminder Singh [1]	6-571	MPC 1080(c)(2) Failure to respond and submit an application

1. Applicants requested to be continued from a previous agenda.

D. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2) and Municipal Police Code Section 1081(c) for failure to meet the driving experience required by Section 1148.1 for a ramped taxi permit:

Applicant Name(s):	**List #:**	**Reason:**
1. Wei Chen Lee	6-585	One year time waiver expired; No longer interested in the ramp medallion permit.

* Applicant is eligible to receive an alternative fuel medallion but was continued on August 26, 2008 for further investigation.

E. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Stephen Tan	1153	Yellow Cab to SF Town Taxi

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 23, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**List #:**	**Color Scheme:**	**Medallion Type:**	**Police Background Check:**

1. Raymond Delgado	6-475	Yellow Cab	Alt. Fuel	Pending Clearance
2. Alan Lee	6-582	Yellow Cab	Alt. Fuel	Pending Clearance

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Marty Smith	713	Delta to Luxor
2. Louis Peppars	337	Metro to Luxor

C. Commission Request to Calendar

Requestor	**Date of Request**	**Date of Hearing**
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Certificate program	July 22, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		ongoing
2008 Color Scheme Report		

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to

various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90, for more information go to www.sfmta.com. For information about MUNI accessible services, call 311.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3(b); Admin.Code Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site: www.sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. ***(San Francisco Administrative Code, sec. 67A***

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TAXICAB COMMISSION MINUTES

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September 9, 2008, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

Cell phone admonishment

1. Call to Order/ Roll call

2. Staff Report and Commissioner Announcements [INFORMATION]

Director Jordanna Thigpen: Highlights drivers who have received compliments for good service. Update on staff report.

- **Com Breslin:** What are you presenting at the IATR? Where can I find the list of the taxi advisory group?

- **Director Thigpen:** I will be presenting on an Administration Panel, to discuss San Francisco's green fleet goal. I will bring the taxi advisory group list to the next meeting.

- **Com Benjamin:** In March I requested that we address the gas increase regarding a meter increase and we have not heard from the Controller's office. I would like to see it on the agenda even if we don't take a vote.

- **President Gillespie:** We can make our recommendations but the Board of Supervisors will not take action until the report is released.

Public Comment

- **Carl Macmurdo:** TAG members are listed on the MTA website. Board of Appeals decision should be discussed.

· **Mark Gruberg:** Absence of Controller's report is a problem since it was supposed to be issued August 24. Determination of that report would go in affect Nov 1 and the process is in complete disarray.

· **Emil Lawrence:** Some documents are missing from the packet.

· **Mike Lawrence:** Board of Appeal decisions should be addressed by the Commission.

· **Marty Smith:** Supports Commissioner Benjamin on the meter increase. Drivers are in great need of the increase.

· **Tariq Mehmood:** Thank you to National, Luxor and Yellow for buying lunch for drivers at the blessing of the Taxis.

3. Consideration of P-16 Permit Applicant Andrew Sinaiko's Qualifications to Receive a P-16 Permit [ACTION]

· **Pres Gillespie:** The attorney requested a continuance and this case should be heard by a hearing officer early October.

· **Ray Alexander:** Requests a continuance.

· **Director Thigpen:** Advises that it need to adopt commission procedures for applicant hearing at the September 23 meeting.

4. Consent Calendar [ACTION]

· **Director Thigpen:** Continue items A- August 26, 2008 minutes and B3- Philip Lo, and remove for further discussion B1- Tesfamariam Zemikael and E1- Stephen Tan, remove for recusal items B4- Elvis Tran, B8-Froilan Lumbang, B10- Vladimir Talian.

Public Comment

· **Richard Hybels:** There are no lost waybills as the applicant claims the driver only drove 51 documented shifts at Metro Cab.

· **Tariq Mehmood:** E1- Stephen Tan fired drivers without any notice. Yellow has best systems why is he leaving Yellow?

· **Carl Macmurdo:** Congratulates all new medallion holders. Medallion Holders Association has materials for any new medallion holders that are interested in joining.

· **Com Breslin:** Motion to grant medallion to B2- James Leng, B5-Louise Nmezie, B6-David Wong, B7-Kirkyin Lim, B9-Antonio Yon, remove applicant from the medallion waiting list C1-Dean Najdawi, C2-Parminder Singh and remove applicant from ramp medallion waiting list D1-Wei Chen Lee

- **Com Paek:** Second motion.
- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: 0**

- **Pres Gillespie:** Item B2- Tesfamariam Zemikael was continued last week in order for him to produce evidence to the Commission to prove he drove a taxi.
- **Director Thigpen:** He has not turned any waybills or documents as evidence to the Commission.
- **Com Benjamin:** Motion to deny the medallion
- **Com Onteo:** Second motion
- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: 0**
- **Com Oneto:** Motion to grant medallion B4- Elvis Tran, B8- Froilan Lumbang and B10- Vladmir Talian
- **Com Paek:** Second motion
- **AYES: Benjamin, Breslin, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: Gillespie**
- **Com Oneto**: Why is this person requesting a color scheme change?
- **Director Thigpen:** The Commission staff reinstated a questionnaire for all medallion holders to file when applying for a color scheme change. On his questionnaire Mr. Tan stated that he will not sign a lease with Town Taxi. However, all medallion holders are required to submit leases to the Commission.
- **Com Breslin:** Should we continue this so we can speak with Mr. Tan to better understand how he will operate this cab?
- **Com Paek:** Motion to continue to hear from Mr. Tan and to know how this medallion is currently being operated at Yellow Cab.
- **Com Oneto:** Second motion
- **AYES: Benjamin, Breslin, Oneto, Paek, Suval** **NO: 0**

· **ABSENT: 0** **RECUSE: Gillespie**

Special Order 8:00- 8:30 PM

5. Public Comment (Please limit public comment to items NOT on the agenda)

· **Carl Macmurdo:** Board of Appeals voted to reinstate Young Yi to the medallion waiting list. They created an a ADA policy for medallion applicants since the Taxi Commission does not have one. The other case heard was for Khaldoun Sukhar who was out of the country for 10 months when the Commission sent him an offer letter.

· **Ben Deal, Represents Clean Energy:** Seven CNG stations operating in Northern CA. Clean Energy has opened a new CNG station in the Presidio close to Doyle Drive.

· **Bill Mounsey:** In the last 6 weeks the CNG at 22nd and 3rd was out. The Presidio station is far from the company lots and out of the way. Brokers must get out of the industry. They are operating because they can. Taking away the medallion is a great idea. It would save a lot of problems. Sgt Reynolds is doing a wonderful job.

· **Mike Spain:** Would like Commission to request the Board of Supervisors to license bicycles. Cyclists are more on the roadway and come into contact with vehicles causing more congestion.

· **Emil Lawrence:** Commends Sgt Reynolds for all his work. Rule books should be here at the meeting to disseminate to all drivers.

· **Keith Raskin:** Would like permission to put illegal limo sign on the vehicles.

· **Mark Gruberg:** Taxi Detail should have full personnel. There's too much work to be done.

· **Richard Hybels:** Losing another medallion at the next meeting because cannot compete with the payouts. Going after the medallion holder makes more sense, but Joe Breal still has his medallion several years after the Commission has tried revoking it.

· **Kanundra:** UTW has Welch medallions. They have been defeated multiple times and should surrender their fight.

· **Jane Bolig:** Single operators should be considered as peak-time permits. This would avoid creating more rules and regulations. Brokers are doing a disservice to the industry.

· **Jim Gillespie:** PG&E is installing 3 additional pumps at Yellow Cab. Would like to see more officers at Taxi Detail. Happy to hear Director Thigpen's commending taxi drivers.

· **Marry Smith:** Brokers are not paying bills and drivers are being charged for shifts they aren't driving, no representation for these drivers either.

· **Charles Rathbone:** Sgt Reynolds doing a great job and will cause distress to Luxor as one of our medallions is sitting on the directors desk. No unilateral problem, Commission must precisely define what type of business relationships are legal and legitimate.

· **Tariq Mehmood:** Need a meter increase immediately. EDD cannot force rules on independent drivers. There's a group that continuously criticize President Paul Gillespie and should not disrespect him. Nate Dwiry not doing well and his prayers are with us.

· **Bud Hazlekorn:** Drivers diverted huge amount of their income because of brokers. UTW will be holding a large meeting to discuss independent contractors.

6. Consideration of Excessive Criminal/Administrative Violations Noted in the Past Six Months [DISCUSSION AND POSSIBLE ACTION]

· **Director Thigpen:** Staff concerned about increased number of violations. Spent most of the week working on complaints. There will be cases in the pipeline that come before the Commission in the next few weeks. 311 is very successful and is easy for people to call in, but there are so many complaints coming in.

· **Sgt Reynolds:** Patrol is being trained to make traffic stops on taxi violations. 311 complaints from people on being over charged for fees, etc. From the investigations we are finding that a lot of them come back to brokers. In the last 6 weeks 3 medallions have been suspended all had either no a cards, no license or state license and/or no lease on file. All medallion holders were receiving more than $2500 per month. The Color schemes said it was the medallion holders responsibility to do all the following. All three parties are pointing fingers at each other claiming they are responsible. Mass of A card applications are being trained to be picked up by brokers and not color schemes. Will spend most of his time addressing broker problems. Paratransit scripps are out of control and is trying to get the federal government to help address the issue.

· **Pres Gillespie:** There is a rule that all color schemes must have a driver roster and should know who is driving each cab whether it is leased or gas and gate. If a driver tells you they don't need to listen to you, then you should cite them or suspend their A card.

· **Com Breslin:** I approve of issuing citations as well. This is not appropriate at all and they should be held accountable.

· **Com Suval:** What's the consequence for meter tampering?

· **Sgt Reynolds:** Will setup a task force to conduct spot checks on all meters.

· **Com Breslin:** If we have a lot of medallion suspensions, what is the process to get that medallion back on the road? I don't want the medallion holder to reap the benefits but I don't want the cab off the street.

· **Director Thigpen:** Most of these suspensions are for drivers and not medallions. Many of these suspensions are being heard almost every Friday.

· **Com Breslin:** Would like to see medallion holder suspension expedited.

· **Com Benjamin:** Agrees and also would like the medallion to revert to the color scheme to operate. We don't know who is behind the wheel of the car and the broker is making money and it should stop.

· **Sgt Reynolds:** Interviewed broker and asked why he doesn't open a business? He said that he doesn't want to pay the business and operation fees that companies do because he wouldn't make any money.

Public Comment

· **Mike Spain:** Brokers shouldn't be the only targeted issues, illegal limos should be.

· **Carl Macmurdo:** Orientation for new medallion holders that speak English as their second language.

· **Jim Gillespie:** 311 faxes from the Taxi Commission are 4-5 months old and are impossible to follow up with the drivers on the issues.

· **Director Thigpen:** Trying to get rid of the old ones and are putting new system into play to get through them all.

· **Sgt Reynolds:** Working on 311 complaints. Would like color schemes to take some responsibility on calls they directly receive.

· **Emil Lawrence:** Complaint level is low.

· **Steve Remeers:** Would like any police officer to check a cab once a day.

· **Tariq Mehmood:** When UTW took the Welch medallion the Commission allowed brokering. Taxi school requested a day or 2 more for A-card training.

7. Consideration of Proposed Ordinance 080438 Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums [DISCUSSION AND POSSIBLE ACTION]

· **Director Thigpen:** This received national press and was on first reading today at the Board of Supervisors. This would ban smoking in taxis.

· **Pres Gillespie:** Overly restrictive bill and if a cab driver wants to smoke in their cab shouldn't be a problem. Any passenger has the right to request the driver to not smoke.

Public Comment

- **Emil Lawrence:** Cabs that are smoked in smell like ash trays. Some drivers lose fares over it.

- **Bill Mounsey:** Allows drivers to smoke in cabs but deodorizes the cab after they get out.

- **Mary McGuire:** Doesn't allow people to smoke in cabs. Bad way to die and cannot be around that smell.

- **Barry Taranto:** Agrees with President Gillespie and shouldn't dictate who can or cannot drive.

- **Com Paek:** Motion to oppose the Board of Supervisor's Ordinance and believes it is too restrictive.

- **Com Breslin:** Would like to add to the resolution that the Commission has an understanding with drivers and customers regarding smoking in taxis.

- **Com Suval:** Second motion

- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**

- **ABSENT: 0** **RECUSE: 0**

8. Consideration of Possible Working Group for "Taxi Wrap Benefit Fund" to Determine Disposition of Funds Collected From Taxi Wraps [INFORMATION AND DISCUSSION]

- **Director Thigpen:** Needs public input on possible uses of the "taxi wrap fund". Has received some ideas but would like more assistance from the industry. Stands by prior memo regarding legal status of funds.

- **Pres Gillespie:** Would like to put together an advisory group to address and discuss before merging with the MTA.

- **Director Thigpen:** Committees and policy bodies do not have to produce minutes. The only requirement is 72 hour noticing.

- **Com Breslin:** Would like the group to be taxi drivers and companies.

Public Comment

- **Mark Gruberg:** Should have minutes for those who can't be there. This is a drivers' fund and should be solely decided on how it is used.

- **Tariq Mehmood:** Why not use that money to reduce the A-card fee.

- **Barry Taranto:** When this fund was established it was because drivers weren't being compensated from the industry. Drivers should make the decision and it should go to a hardship case.

- **Mary McGuire:** Drivers should have a part of this.

9. Adjournment - 9:30pm

Explore:

- SFMTA Board
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San Francisco Taxicab Commission

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09-22 09A09:04 RCVD

September 23, 2008

TAXICAB COMMISSION AGENDA

September 23, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consent Calendar [ACTION]
4. Consideration of Proposed Procedures for Commission Disciplinary and Qualification Hearings [INFORMATION]
5. Taxi Commission v. Martin Jakob: [ACTION]
   - Consideration of Summary Suspension of Medallion # 479, Martin Jakob, for violations of Rules 4.A.1 and 4.A.3 for allowing an unpermitted driver to operate his medallion vehicle

   *** **SPECIAL ORDER*** 7:30-8:00**
6. Public Comment
7. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Azam Enazzer: [ACTION]
   - Consideration of Hearing Officer's Decision to Revoke P-16 Permit # 431 for Violation of the Prop. K Full Time Driving Requirement, MPC § 1081(b) for 2001, 2005, and 2006; and Violation of MPC § 1138, accurate and legible waybills.
8. Consideration of Hearing Officer's Recommendations in Taxi Commission v. James Neilly: [ACTION]
   - Consideration of Hearing Officer's Decision to Revoke P-16 Permit 897, National Taxi Company, Violation of Section 1081(b) of the San Francisco Municipal Police Code
9. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Rahimi (Rahimi I) [ACTION]
   - Consideration of Hearing Officer's Decision to Revoke P-16 Permit 1135, P-16 permit held by Abdul Bashir Rahimi aka Sayed Bashir Rahimi aka Bashir Rahimi, formerly Bay Cab now DeSoto Cab, for

violations of the San Francisco Municipal Police Code Section § 1081(f); MPC § 1110, MPC § 1138, *Taxicab/Ramped Taxi Rules & Regulations* Rules 4.A.1, 4.A.2, 4.A.12.

10. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Rahimi (Rahimi II) [ACTION]
    - Consideration of Hearing Officer's Decision to Revoke P-16 1135 and P-44 Taxi Driver ("A-card") Permit 62705 held by Bashir Rahimi for violations of Rules 4.A.1, 6.D.1 and 6.E.1

11. Adjournment

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TAXICAB COMMISSION MINUTES

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September 23, 2008, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

Cell phone admonishment

1. Call to Order/ Roll call -6:36 pm

2. Staff Report and Commissioner Announcements [INFORMATION]

· **Executive Director Jordanna Thigpen:** Overview of the IATR Conference in LA.

· **Sgt. Reynolds:** Update on suspensions and complaints.

· **Com Breslin:** While at the IATR, did you learn if any other Taxi Commission was also under their local MTA?

· **Pres Gillespie:** Some cities are still under the police but most are under the transportation agency. Many of our ideas have been adopted by other cities.

· **Com Breslin:** Glad to know that the merger is not something new.

· **Com Benjamin:** We were supposed to discuss the meter fare increase at this meeting.

· **Director Thigpen:** Report will be out before October 14, 2008 and we will discuss it then.

Public Comment:

· **Richard Hybels:** Dispatch companies give doormen money for fares.

· **Director Thigpen:** Charter Reform meeting for September has been cancelled. Rules committee will meet October 14, at 10:30pm and the MTA Advisory Committee will meet October 2, at 1:30pm.

- **Emil Lawrence:** What is the minimum rule for shifts within 24 hours?
- **Booya:** Westin St. Francis called a B&W cab out of the line for a fare.
- **Barry Taranto:** Sgt Reynolds is doing a great job.
- **Tariq Mehmood:** All hotels have limos waiting at the door.
- **Mark Gruberg:** Serious problems with limos and is unacceptable.
- **Gratch:** There is no cash payment required at B&W. Some drivers tip the bellman but there are no rules prohibiting it. Only employees are prohibited.

3. Consent Calendar [ACTION]

- **Director Thigpen:** Remove all items in C & D for discussion and recusals.

Public Comment:

- **Richard Hybels:** Louis Peppars agreed to keep the medallion at Metro until October 1, 2008.
- **Tariq Mehmood:** Drivers should not be allowd to be fired from a lease.
- **Jim Gillespie:** Congratulations to all applicants receiving medallions.
- **Jacob Mayzel:** Stephen Tan misunderstood the application but has since filled it out correctly. He is currently single-shifting.
- **Booya:** How can a medallion holder fire a driver without notification?
- **Com Oneto:** Motion to approve item A-August 26, 2008 minutes and item B September 9, 2008 minutes.
- **Com Paek:** Seconds motion
- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: 0**

- **Com Oneto**: Motion to approve color scheme changes for items C2- Marty Smith Delta to Luxor, and C3- Louis Peppars Metro to Luxor as of October 1, 2008.
- **Com Paek:** Seconds Motion

- **AYES: Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: Benjamin**

- **Com Oneto:** Waive required notice for item D3-John Seible
- **Com Paek:** Seconds motion
- **AYES: Benjamin, Breslin, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: Gillespie**

- **Com Oneto:** Motion to grant medallion to D1-Raymond Delgado, D2- Alan Lee, D3- John Seible
- **Com Suval:** Seconds motion
- **AYES: Benjamin, Breslin, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: Gillespie**

- **Director Thigpen:** Overview of C1- Stephan Tan. Staff has learned that there is a judgment against him for $9,000 issued by a San Mateo court. The suit claims he illegally and unlawfully defrauded his drivers. Possibility he is treating his current or future drivers the same.
- **Com Breslin**: Would like Mr. Tan to address the questions.
- **Mr. Tan**: Driver filed suit in small claims court for loss of wages after he was fired. But in fact he didn't want to switch from Yellow to Town, so he was let go. Will be single shifting until transfer is approved and will hire drivers from Town.
- **Jacob Mayzel**: Town was not aware of any lawsuit. If Mr. Tan would like to switch from single shifting to gas and gate he can.
- **Barry Taranto:** Commission should continue this for further investigation.
- **Tariq Mehmood**: There is another driver operating that medallion.
- **Com Breslin:** Commission has not put together color scheme change standards and cannot hold up this change.
- **Com Benjamin**: What will you being doing with the judgment?

- **Mr. Tan**: Will appeal it.
- **Com Breslin**: What is the current status of the medallion?
- **Director Thigpen:** It is still in operation.
- **Com Benjamin**: There are no rules that allow us to continue this and motions to approve the color scheme change from Yellow to Town.
- **Com Paek**: Seconds motion.
- **AYES: Benjamin, Breslin, Oneto, Paek, Suval** **NO: 0**
- **ABSENT: 0** **RECUSE: Gillespie**

4. Consideration of Proposed Procedures for Commission Disciplinary and Qualification Hearings [INFORMATION]

- **Director Thigpen:** Overview of item, will present changes at next meeting.
- **Com Paek:** Would like a copy of the medallion holders application.
- **Com Breslin:** 120 days to review/ investigate an application is a lot of time.
- **Director Thigpen:** Some folks are either out of the country or response needed from other departments is delayed.
- **Com Breslin:** Need to systemize waybills especially if burden of proof is included. Double spaced detail is to detailed.

Public Comment:

- **Carl Macmurdo:** The first section should go directly before the commission to save time.
- **Gratch:**If the rule is going to occur, due process should be included.
- **Tariq Mehmood:** Burden of proof should be on the driver.

5. <u>Taxi Commission v. Martin Jakob:</u>[ACTION]

- **Consideration of Summary Suspension of Medallion # 479, Martin Jakob, for violations of Rules 4.A.1 and 4.A.3 for allowing an unpermitted driver to operate his medallion vehicle**

- **Sgt Reynolds:** Overview of case.
- **Pres Gillespie:** Do you want us to uphold the suspension?

- **Sgt Reynolds:** Is not right for Taxi detail to make the arrest and issue the violation.

Public Comment:

- **Martin Jakob:** Owner of the medallion in question has worked with drivers for sometime. Was not aware the A card was expired. He was not notified by the Taxi Commission either. All charges were dropped by the judge and the A-card was paid.

- **Gratch:** Unprecedented case. Driver was not notified he was to go back to taxi school. This is not the medallion holders fault but rather the A-card holder.

- **Sgt Reynolds:** All drivers attend training and should be aware of the A-card renewal process.

- **Emil Lawrence:** Martin Jakob not taking full responsibility.

- **Keith Raskin:** Cost already incurred and is steep. Why does it have to be off the street to be considered?

- **Cory Lamb:** Drivers, owners, and companies need to take responsibility.

- **Barry Taranto:** Sgt Reynolds is doing a good job. Why did Treasure's Office allow the renewal of the fee of the A card?

- **Bashir Rahimi:** Everyone should follow the rules and regulations.

- **Pres Gillespie:** Commend Sgt Reynolds has sent a strong message to industry. Off the street for several weeks and drivers haven't driven. Staff to bring this case forward but to reinstate the medallion. Color schemes and medallion holders are responsible.

- **Com Breslin:** Mr. Jakob addressed this case seriously and appreciates it. Drivers are jeopardizing the business and the Treasurer's Officer should be question in their practices.

- **Com Oneto:** Motion to lift suspension.

- **Com Paek**: Second motion.

- **AYES: Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**

- **ABSENT: Benjamin (left early)** **RECUSE: 0**

*** **SPECIAL ORDER*** 7:30-8:00**

6. Public Comment

- **Barry Taranto:** Has an issue with the way Com Breslin treats staff. Why have standards if you don't comply? President Gillespie should have a roll call vote.

- **Com Breslin:** Hotel Vitale is having a taxi zone painted.
- **Tariq Mehmood:** Gas issue should be addressed.
- **Emil Lawrence:** Most companies outside San Francisco have raised taxi fees.
- **Bashir Rahimi:** San Franciscans pay high rent and gas but drivers get paid the least.
- **Carl Macmurdo:** Would like a moratorium on ADA applicants until after it is heard but the court.
- **Bill Mounsey:** Airport shuttles are also taking fares from drivers.
- **Mark Gruberg:** UTW has helped hundreds of drivers on all issues.
- **Com Breslin:** Should not use public comment to advertise.
- **Kajendra:** UTW has lost support of drivers
- **Mohamed:** Did the executive director send a letter to the Controller requesting the report?

7. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Azam Enazzer: [ACTION]

- **Consideration of Hearing Officer's Decision to Revoke P-16 Permit # 431 for Violation of the Prop. K Full Time Driving Requirement, MPC § 1081(b) for 2001, 2005, and 2006; and Violation of MPC § 1138, accurate and legible waybills.**

- **Director Thigpen:** Overview of the case.
- **Geoffrey Rotwein, Attorney for Defendant:** Rebuttal

Public Comment:

- **Bill Mounsey:** Taxi Commission can't make decisive decisions and that should not be the case.
- **Emil Lawrence:** Defendant seems to have violated all Commission laws and should not have a medallion.
- **Tariq Mehmood:** This should be reheard since it doesn't seem like he has had a fair case.
- **Bashir Rahimi:** Should give him another trial.
- **Jacob Miezel:** Ennazer has been driving for Town for 2 years and has completed the driving requirement.

- **Com Oneto:** Motion to adopt hearing officer's decision.

- **Com Suval:** Second motion

- **Com Breslin:** It is unfair to count his waybills. Commission should establish a waybill system for drivers.

- **Pres Gillespie:** He is claiming Yellow lost his waybills, but they are a very reliable company when storing waybills.

- **AYES: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval** **NO: 0**

- **ABSENT: 0** **RECUSE: 0**

8. Consideration of Hearing Officer's Recommendations in Taxi Commission v. James Neilly: [ACTION]

- **Consideration of Hearing Officer's Decision to Revoke P-16 Permit 897, National Taxi Company, Violation of Section 1081(b) of the San Francisco Municipal Police Code**

- **Director Thigpen:** The noticed item should not say revocation but rather fine. Overview of the case.

- **Geoffrey Rotwein, Attorney for Defendant:** Agrees with the Hearing officer's recommendation but states there was a discrepancy in a June waybill that the hearing office acknowledged and the Commission should reduce the fine to $925.

No Public Comment:

- **Com Benjamin**: Motion to adopt hearing officer's decision and amendment to the original fine to be reduced to $925.

- **Com Suval**: Second motion.

- **AYES: Benjamin, Breslin, Gillespie, Oneto, Pack, Suval** **NO: 0**

- **ABSENT: 0** **RECUSE: 0**

9. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Rahimi (Rahimi I) [ACTION]

- **Consideration of Hearing Officer's Decision to Revoke P-16 Permit 1135, P-16 permit held by Abdul Bashir Rahimi aka Sayed Bashir Rahimi aka Bashir Rahimi, formerly Bay Cab now DeSoto Cab, for violations of the San Francisco Municipal Police Code Section § 1081(f); MPC § 1110, MPC § 1138, *Taxicab/Ramped Taxi Rules & Regulations* Rules 4.A.1, 4.A.2, 4.A.12.**

- **Director Thigpen:** Overview of the item

- **Bashir Rahimi:** Would like to request a continuance of one year to be able to get an attorney. Goes over documents that he believes prove that he did drive.

- **Com Oneto:** Motion to support hearing officer's decision

- **Com Paek:** Second motion

- **AYES: Gillespie, Oneto, Paek** **NO: Breslin, Suval**

- **ABSENT: Benjamin (left early)** **RECUSE: 0**

10. Consideration of Hearing Officer's Recommendations in Taxi Commission v. Rahimi (Rahimi II) [ACTION]

- **Consideration of Hearing Officer's Decision to Revoke P-16 1135 and P-44 Taxi Driver ("A-card") Permit 62705 held by Bashir Rahimi for violations of Rules 4.A.1, 6.D.1 and 6.E.1**

- **Director Thigpen:** This item also has been noticed as a revocation, but should be noticed as summary suspension. Overview of the item.

Public Comment: None

- **Com Breslin:** Suspended Rahimi from driving but allow medallion to operate. Not in agreement with hearing officer's findings.

- **Com Paek**: Motion to accept hearing officer's recommendation.

- **Com Oneto**: Second motion

- **Com Breslin**: Would like to amend it so that he cannot go to the airport.

- **AYES: Gillespie, Oneto, Paek** **NO: Breslin, Suval**

- **ABSENT: Benjamin (left early)** **RECUSE: 0**

11. Adjournment -11:30 PM

Explore:

- SFMTA Board
- SFMTA CAC

- Transit Meetings
- Bicycle Meetings
- Livable Streets
- Taxi Meetings
- Walk Meetings
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San Francisco Taxicab Commission

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October 14, 2008

TAXICAB COMMISSION AGENDA

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October 14, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consideration of Controller's Report on San Francisco Gate and Meter Fees [INFORMATION AND POSSIBLE ACTION]
4. Consideration of Proposed Procedures for Commission Disciplinary and Qualification Hearings [ACTION]
   SPECIAL ORDER 8:00 – 8:30 PM
5. Public Comment (Please limit public comment to items NOT on the agenda)
6. Consent Calendar [ACTION]
7. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Scott Van Leuven, Permit # 675 [ACTION]
   - Consideration of Decision to Lift Summary Suspension Issued for Violations of Rules 4.A.1 and 4.A.3 (allowing unlicensed and suspended driver to operate his taxicab vehicle)
8. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Kingsley Njemanze, Temporary Permit [ACTION]
   - Consideration of Decision to Uphold Summary Suspension for Violations of Rules 6.A.1, 6.A.4, 6.D.2, 6.D.3, Vehicle Code §§ 20001(a), 21950(a), and Penal Code § 243(d), Pending Disciplinary Complaint on Underlying Matters
9. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Ikarouien [ACTON]
   - Consideration of Recommendation to Re-Hear Case for Violations of Rules 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 and Uphold Summary Suspension Pending Re-Hearing
10. Consideration of Resolution Clarifying that the ADA Policy Exists for P-16 and P-68 Permit Holders and not for P-16 and P-68 Permit Applicants [INFORMATION]
11. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the September 23, 2008 Taxicab Commission

Meeting.

B. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for failure to respond after noticed attempt or for declining a **Ramp** Medallion per Municipal Police Code Section 1080(c)(2) and Municipal Police Code Section 1081(c) for failure to meet the driving experience required by Section 1148.1 for a ramped taxi permit:

Applicant Name(s):	**List #:**	**Reason:**
1. Gerald Cassidy	6-661	Time waiver expired 9/12/08; MPC §1080(c)(2)failure to respond after noticed; MPC §1081(c) for failure to meet the driving experience required by Section 1148.1.

C. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Police Background Check:**
1. Vladimir Zhoglo	Big Dog City	Alt. Fuel	Pending Clearance
2. Yakov Klachovsky	Town Taxi	Alt. Fuel	Pending Clearance

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Abdulbaki Gudu	9012	Arrow to Yellow
2. Frank Wong	1213	Bay to Yellow
3. Mohsen Barakah	1190	Royal to Yellow

E. Consideration of the Taxi Commission to retract a previous vote taken on September 9, 2008, to remove the following medallion applicant from the waiting list:

Applicant Name(s):	**List #:**	**Reason:**
1. Dean Najdawi[1]	6-560	MPC §1080(c)(2): Failure to respond and submit an application

1. See memorandum

F. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name (s):	**List #:**	**Reason:**
1. Dean Najdawi[1]	6-560	MPC §1080(c)(2): Failure to respond and submit an application

1. See memorandum

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the October 31, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	Color Scheme:	Medallion Type:	Police Background Check:
1. Charles L. Johnson	National Cab	Alt. Fuel	Pending Clearance
2. Radwan Rashid	DeSoto Cab	Alt. Fuel	Pending Clearance
3. Kalesilassie Gebresilassie	SF American	Alt. Fuel	Pending Clearance
4. Robert A. Duncanson	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
5. Getahun Assefa	DeSoto Cab	Alt. Fuel	Pending Clearance
6. John Gould	National Cab	Alt. Fuel	Pending Clearance
7. Zuhair Sinada	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance

B. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List #	Reason
1. William M. Iversen	6-593	MPC §1080(c)(2): Failure to respond and submit an applications.
2. Russell Williams	6-595	MPC §1080(c)(2): Failure to respond and submit an applications.
3. Telesforo T. Ochoa	6-596	MPC §1080(c)(2): Failure to respond and submit an applications.
4. Fortunato Brun	6-598	MPC §1080(c)(2): Failure to respond and submit an applications.
5. Keith K. Yu	6-600	MPC §1080(c)(2): Failure to respond and submit an applications.
6. Felix Lantsman	6-604	MPC §1080(c)(2): Failure to respond and submit an applications.

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Scott Van Leuven	675	Luxor to Metro
2. Manoch Amirehsani	9062	Yellow to Bay
3. Marwan Deisieh	1030	DeSoto to Yellow
4. Elias Negash	9069	DeSoto to Comfort

D. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
1. Massoug Charsoughi	6-587	Ramp

E. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	September 23, 2008
Certificate program	July 22, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		ongoing

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90, for more information go to www.sfmta.com. For information about MUNI accessible services, call 311.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3(b); Admin.Code Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site: www.sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. ***(San Francisco Administrative Code, sec. 67A***

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7
SUSAN SUVAL, COMMISSIONER, ext.5

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

TO: Honorable Commissioners
FROM: Jordanna Thigpen
RE: Current and New Hearing Procedures
Date: October 3, 2008

Attached please find the following documents:

(1) Current hearing procedures under existing Taxi Commission Rules. There are two documents: one entitled ***Taxi Commission Hearing Procedures*** and one entitled ***Taxi Commission Review of Hearing Officer Decisions.***

(2) Current hearing procedures for review of summary suspensions under existing Taxi Commission rules. This document is entitled ***Taxi Commission Hearing Procedures (Review of Summary Suspension.)***

(3) Proposed hearing procedures for Qualification Hearings for permits. This document is entitled ***Taxi Commission Hearing Procedures for Qualification Hearings for Applicants.***

(4) Proposed procedures for hearings involving recommended decisions, disciplinary cases, and summary suspensions. This document is entitled ***Taxi Commission Hearing Procedures for Recommended Decisions, Disciplinary Cases, and Summary Suspensions.***

All are being noticed on Friday, October 3, 2008 to meet the 10-day noticing requirement and have been posted in the appropriate section on our website.

DOCUMENTS DEPT.

OCT - 7 2008

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Current

TAXI COMMISSION HEARING PROCEDURES

I. Complaint

A. The hearing process begins with the filing of a complaint. The complaint shall include a brief summary of the case and a list of the witnesses, if any, that the Police Department will present at the hearing. The Department shall also submit a set of proposed findings to the Commission prior to the hearing on the complaint.

B. The Commission Secretary shall schedule a hearing in front of the Commission no sooner than four weeks after the complaint is sent to the permit holder.

C. The permit holder is entitled to a one-month continuance of the hearing as a matter of right, if a written request is submitted to the Commission at least two weeks prior to the hearing. Further and additional continuances shall be granted at the discretion of the President of the Commission.

II. Response

A. No later than two weeks prior to the hearing, the permit holder may file a written response to the allegations in the complaint and any other information the permit holder deems relevant. The response shall not exceed ten double-spaced pages. The response shall include a brief summary of the case and a list of the witnesses, if any, that the permit holder will present at the hearing.

III. Public Comment

A. When the case appears on the Commission's agenda, the Commission Secretary shall call the item and read a brief summary of the case based upon the summaries submitted by the Department and the permit holder.

B. The Commission Secretary shall then call for public comment on the item. Unless the President of the Commission rules otherwise, members of the public shall have three minutes each to address the Commission. The President of the Commission may limit the total amount of time provided for public comment.

C. Before public comment is taken, the Commission Secretary shall read the following admonition:

> "Disciplinary hearings regarding possible permit suspensions or revocations are quasi-judicial proceedings. The decisions of the Commission must be based exclusively on properly-admitted evidence. The Commission may not base any factual determinations necessary for its decisions on anything other than such evidence. Information presented through public comment is not evidence and will not be considered by the Commission for those purposes."

IV. Presentation of the Case

A. The Department's representative has the burden of proof and shall speak first. The Department's representative and the permit holder shall each have seven (7) minutes to present their case in chief, including the presentation of witnesses. The parties may request, and the President of the Commission in his or her discretion may grant, additional time to the parties if the matter is complex or public comment has been extensive and the party wishes to respond.

B. There shall be no cross-examination of witnesses as a matter of right, but the opposing party may propose questions for adverse witnesses through the President of the Commission.

V. Questions from the Commission

A. After each side has presented its case in chief, the President of the Commission may entertain questions for the parties from the Commission members.

VI. Rebuttal

A. After the Commission members have concluded their questions, the Department's representative and the permit holder shall each have three (3) minutes to present their rebuttal, if any. The Department's representative shall speak first.

VII. Deliberations

A. After each side has presented its rebuttal, if any, the President of the Commission may entertain final questions for the parties from the Commission members.

B. The Commission members shall then conduct their deliberations and, in their discretion, introduce and adopt any motions to dispose of the case.

VIII. Findings

A. If the Commission votes to impose discipline, the Secretary of the Commission, with the assistance of the City Attorney, shall prepare findings. The findings may be considered and adopted by the Commission at the same meeting or at a subsequent meeting. The Commission's decision shall take effect fifteen (15) days after the adoption of findings or the denial of an application for rehearing.

IX. Rehearings

A. An application for rehearing of a Commission determination may be filed by the permit holder within seven (7) days after the adoption of findings.

B. The Commission shall act upon an application for rehearing within thirty (30) days after the date of filing of the application. If the Commission does not act on the application within the specified thirty (30) days, the application shall be deemed denied and such denial shall be final and conclusive.

C. The Board may grant an application for rehearing on only one or both of the following grounds:

1) A subsequent change in the applicable law; or

2) The permit holder has discovered new evidence, material to the case, which the permit holder could not, with reasonable diligence, have discovered or procured prior to the hearing. Repetitive or cumulative evidence shall not satisfy this ground.

An application for rehearing shall be denied if the application contains allegations unsupported by specific references to subparagraphs 1) or 2) above.

D. When a rehearing is sought on grounds of newly-discovered evidence, such an application must contain an offer of proof, specific in detail, providing:

1) The names of witnesses to be produced;

2) A summary of the testimony to be elicited from such witnesses;

3) A description of such documentary evidence as is to be offered;

4) The effect which it is contended such evidence will have on the record and on the prior decision; and

5) A full and accurate statement of the reasons why such testimony or exhibits could not reasonably have been discovered prior to the hearing or produced at the hearing.

TAXI COMMISSION REVIEW OF HEARING OFFICER DECISIONS

Section IV.C of the Taxi Commission's Hearing Procedures for Hearing Officer Referrals states:

> The Executive Director shall also place the final decision on the Taxi Commission's consent calendar for the next scheduled meeting occurring not less than ten calendar days after entry of the Director's decision. The Director shall submit the recording of the hearing and any written materials submitted in connection with the hearing. The Commission will act on the Director's decision and the record presented; it will not rehear the case. The Commission may only modify or overturn the Executive Director's decision by a two-thirds' vote.

This memorandum is provided to clarify and expand on the procedures the Commission will follow in such cases.

Review by the full Commission is like review at the Supreme Court. It is discretionary—the Commission decides which cases it will hear. There is no right to a rehearing before the Commission.

(1) THE FIRST STEP IS TO HAVE THE DECISION SEVERED [SEPARATED] FROM THE COMMISSION'S CONSENT CALENDAR.

Any member of the Commission may request that the item be severed and voted on separately. A party may ask that a decision be severed during public comment on the consent calendar, but it will be more useful if the party makes the request in writing to the Commission at least a week prior to the meeting. The request can be a simple letter or a formal brief.

The request should be directed to the entire commission; commission members should not be speaking individually with parties to a case that they may later be judging. Commission members may review the recording of the proceedings before the hearing officer and the written materials in order to assist their decision whether to sever an item and propose a rehearing.

(2) THE NEXT STEP IS FOR THE COMMISSION TO VOTE, BY A SIMPLE MAJORITY, ON WHETHER TO REHEAR THE SEVERED ITEM.

This step is analogous to the California Supreme Court's decision to grant review of a case or the U.S. Supreme Court's decision to grant certiorari.

The Commission may vote to rehear the item at the same meeting that the item appears on the consent calendar.

The President of the Commission may, in his or her discretion, allow the permit holder and the Department to address the Commission briefly prior to the vote on whether to rehear the case.

(3) IF THE COMMISSION VOTES TO REHEAR THE CASE, THE PRESIDENT SHALL THEN SCHEDULE THE REHEARING FOR A SUBSEQUENT COMMISSION MEETING.

Prior to the meeting at which the rehearing will occur, all members of the Commission ***must*** review the recording of the proceedings before the hearing officer and the written materials.

There is no testimony presented at the rehearing without the permission of the President of the Commission.

If a party claims to have new evidence that reasonably could not have been presented at the original hearing, the President of the Commission may remand the case to the hearing officer for consideration of the new evidence.

At the rehearing, each side—starting with the department—shall have twelve minutes to present its case and three minutes for rebuttal. Members of the Commission may ask questions of the parties through the President, but should avoid interrogating or debating the parties.

(4) THE FINAL STEP IS FOR THE COMMISSION, AFTER REHEARING THE CASE, TO VOTE ON WHETHER TO OVERTURN THE EXECUTIVE DIRECTOR'S DECISION; IT TAKES A TWO-THIRDS' VOTE OF THE COMMISSION (OR 5 VOTES) TO OVERTURN THE DECISION.

The 5-vote requirement applies even if one or two of the commission members are absent or disqualified from hearing a particular cases, or the seats are vacant.

TAXI COMMISSION HEARING PROCEDURES
(Review of Summary Suspension)

I. Review of Summary Suspension.

A. "The [Executive Director of the Taxi Commission] may suspend summarily any permit issued under this Article pending a disciplinary hearing before the [Taxi] Commission when in the opinion of said [Executive Director] the public health or safety requires such summary suspension. Any affected permittee shall be given notice of such summary suspension in writing delivered to said permittee in person or by registered letter." (SF Police Code § 1090(c).)

B. When a permit has been summarily suspended, the permit holder is entitled to a prompt hearing before the Taxi Commission on whether to continue the suspension pending the resolution of the underlying complaint.

II. Opposition

A. No later than five days prior to the hearing, the permit holder may file a written opposition to the allegations filed agaainst him or her and any other information the permit holder deems relevant. The opposition shall not exceed ten double-spaced pages. The opposition shall include a brief summary of the case and a list of the witnesses, if any, that the permit holder will present at the hearing.

III. Public Comment

A. When the case appears on the Commission's agenda, the Commission Secretary shall call the item and read a brief summary of the case based upon the summaries submitted by the Department and the permit holder.

B. The Commission Secretary shall then call for public comment on the item. Unless the President of the Commission rules otherwise, members of the public shall have three minutes each to address the Commission. The President of the Commission may limit the total amount of time provided for public comment.

C. Before public comment is taken, the Commission Secretary shall read the following admonition:

> "Disciplinary hearings regarding possible permit suspensions or revocations are quasi-judicial proceedings. The decisions of the Commission must be based exclusively on properly-admitted evidence. The Commission may not base any factual determinations necessary for its decisions on anything other than such evidence. Information presented through public comment is not evidence and will not be considered by the Commission for those purposes."

IV. Presentation of the Case

A. The Department's representative has the burden of proof and shall speak first. The Department's representative and the permit holder shall each have seven (7) minutes to present their case in chief, including the presentation of witnesses. The parties may request, and the President of the Commission in his or her discretion may grant, additional time to the parties if the matter is complex or public comment has been extensive and the party wishes to respond.

B. There shall be no cross-examination of witnesses as a matter of right, but the opposing party may propose questions for adverse witnesses through the President of the Commission.

V. Questions from the Commission

A. After each side has presented its case in chief, the President of the Commission may entertain questions for the parties from the Commission members.

VI. Rebuttal

A. After the Commission members have concluded their questions, the Department's representative and the permit holder shall each have three (3) minutes to present their rebuttal, if any. The Department's representative shall speak first.

VII. Deliberations

A. After each side has presented its rebuttal, if any, the President of the Commission may entertain final questions for the parties from the Commission members.

B. The Commission members shall then conduct their deliberations and, in their discretion, introduce and adopt any motions to dispose of the case. The only issue shall be whether the Department has established that the public health or safety requires that the summary suspension be continued in effect pending the resolution of the underlying complaint.

VIII. Findings

A. If the Commission votes to continue the suspension, the Secretary of the Commission, with the assistance of the City Attorney, shall prepare findings. The findings may be considered and adopted by the Commission at the same meeting or at a subsequent meeting. However, the decision to continue the suspension shall take effect immediately.

Proposed

TAXI COMMISSION HEARING PROCEDURES
FOR QUALIFICATION HEARINGS FOR PERMIT APPLICANTS

I. Applications

A. The application process begins with the filing of an application. The application shall be received at the Taxi Commission Office and shall be completely filled out. No application shall be deemed received until it is complete.

B. Taxi Commission staff shall review the application and investigate the facts declared by the applicant under penalty of perjury in his or her application.

II. Applicants Deemed Qualified

A. If Taxi Commission staff finds the application to be a true and correct statement of the facts contained therein, and if the applicant meets the qualifications specified in MPC § 1081, the applicant shall be placed on the Commission agenda for a vote by the Commission.

B. Vote shall be taken by simple majority vote on the Commission's consent calendar.

III. Applicants Deemed Unqualified and Applications Presenting Factual Discrepancies

A. The application shall be sent to a hearing officer for a factual determination of the issues presented if any of the following circumstances are presented:

(a) investigation reveals that the applicant may have engaged in fraud, deceit, misrepresentation, or other misconduct in connection with the application process, including submission of fraudulent waybills;

(b) investigation reveals that the applicant may be unqualified for any other reason specified in MPC § 1081, including, but not limited to:

(i) lack of financial responsibility, compliance with insurance requirements, and ability to maintain proper financial records
(ii) compliance with applicable statues, ordinances, rules, and regulations
(iii) record with other permits issued to operate a motor vehicle for hire either in San Francisco or other jurisdictions;

(c) Lack of requisite driving experience as required by MPC §§ 1121 or 1148.1.

IV. Hearing Officer Referral of Permit Applicants

A. The Department shall schedule an applicant for factual determination of issues described above before a hearing officer no later than one hundred and twenty (120) calendar days after the applicant has submitted a complete application.

B. The applicant is entitled to a thirty (30) calendar day continuance of the hearing as a matter of right, if a written request is submitted to the Commission office at least two weeks prior to the hearing. Further and additional continuances shall be granted at the discretion of the hearing officer.

V. Burden of Proof

A. The burden of proof shall at all times remain with the applicant to prove his or her qualifications for the permit.

VI. Submissions

A. The Department shall present the complete application, along with a summary of no more than ten (10) double-spaced pages in length, excluding any evidence the Department intends to present to support the results of its investigation, no less than twenty (20) calendar days prior to the hearing. The department shall serve its submission on the applicant and the hearing officer. The Department shall also include a list of the witnesses, if any, that the Department intends to present at the hearing. Names may be submitted in summary form, but the permit holder may also include declarations from witnesses under penalty of perjury and any of those declarants may be called as live witnesses.

B. No less than ten (10) calendar days prior to the hearing, the applicant may file a written submission containing any information the applicant deems relevant to the application or the results of the investigation. The submission shall not exceed ten (10) double-spaced pages, and may include unlimited exhibits. The submission shall also contain a list of the witnesses, if any, that the applicant will present at the hearing. Names may be submitted in summary form, but the applicant may also include declarations from witnesses under penalty of perjury and any of those declarants may be called as live witnesses.

VI. HEARING OFFICER RECOMMENDATION AND COMMISSION REVIEW

A. The hearing officer shall submit his or her recommended decision on the application to the Commission in accordance with the procedures established in MPC § 1188. The Commission shall review and adopt, modify, or deny the hearing officer's recommendation in accordance with the Commission's *Hearing Procedures for Recommended Decisions, Disciplinary Cases, and Summary Suspensions*.

TAXI COMMISSION HEARING PROCEDURES FOR RECOMMENDED DECISIONS, DISCIPLINARY CASES, AND SUMMARY SUSPENSIONS

I. General Provisions

A. Quasi-judicial officers in these proceedings should not be communicating with parties to a case regarding the substance of the case. Any correspondence regarding the substance of a case directed to or received by any quasi-judicial officer shall become part of the public record and shall be copied to both parties.

B. Public comment is not testimony and is not part of the administrative record. Quasi-judicial officers shall not let public comment influence their decision-making process.

C. For purposes of this section, "quasi-judicial officers" refers to the hearing officer or the Commissioners hearing or reviewing a particular case.

D. "Quasi-judicial officer" for procedural purposes shall mean the hearing officer or the President of the Commission.

II. Summary Suspensions

A. The [Executive Director of the Taxi Commission] may suspend summarily any permit issued under this Article pending a disciplinary hearing before the [Taxi] Commission when in the opinion of said [Executive Director] the public health or safety requires such summary suspension. Any affected permittee shall be given notice of such summary suspension in writing delivered to said permittee in person or by registered letter." (SF Police Code § 1090(c).)

B. When a permit has been summarily suspended, the permit holder is entitled to a prompt hearing before the Taxi Commission on whether to continue the suspension pending the resolution of the underlying complaint.

C. The Executive Director shall serve a letter of suspension describing the allegations giving rise to the suspension upon the permit holder, either personally or by registered mail to the permit holder's address on file with the Commission, and take possession of the permit. The permit holder shall not operate said permit during the pendency of the summary suspension. The Director shall prepare a written summary of the charges giving rise to the summary suspension and shall serve the written

summary on the permit holder at least five (5) calendar days prior to the hearing.

D. No later than five days prior to the hearing, the permit holder may file a written opposition to the allegations contained in the letter of suspension containing any information the permit holder deems relevant. The opposition shall not exceed ten double-spaced pages. The opposition shall include a brief summary of the case and a list of the witnesses, if any, that the permit holder will present at the hearing.

E. Whether or not the Commission votes to continue the summary suspension, a complaint on the facts giving rise to the summary suspension may be filed in accordance with these Procedures.

III. Procedures Applicable to all Disciplinary Cases

A. Disciplinary Complaints

1. A disciplinary complaint shall include a summary of the case of no more than 10 double-spaced pages, and unlimited exhibits of evidence. A list of witnesses, if any, that the Department intends to present, must be presented at least five business days prior to the hearing. Names may be submitted in summary form, but the Department may also include declarations from witnesses and any of those declarants may be called as live witnesses. The Department shall also submit a set of proposed findings to the quasi-judicial officer prior to the hearing on the complaint.

2. The hearing shall be scheduled no sooner than thirty (30) calendar days after the complaint is sent to the permit holder unless the parties agree to a shorter timeline.

3. The defendant may be entitled to a thirty (30) calendar day continuance of the hearing, if a written request is submitted to the quasi-judicial officer at least two weeks prior to the hearing. Continuances shall be granted at the discretion of the quasi-judicial officer. Continuances shall not be granted if there are continuing violations present in the case.

B. Response

1. No later than two weeks prior to the hearing, the defendant may file a written response to the allegations in the complaint and any other information the permit holder deems relevant. The response shall not exceed ten double-spaced pages, and unlimited exhibits. The response shall include a brief summary of the case and a list of the witnesses, if any, that the defendant will present at the hearing. Names may be submitted in summary form, but the defendant may

also include declarations from witnesses and any of those declarants may be called as live witnesses.

C. Public Comment

1. When the case appears on the Commission's agenda, the Commission Secretary shall call the item.

2. The Commission Secretary shall then call for public comment on the item prior to the parties' presentation. Members of the public have up to three minutes each to address the Commission, at the discretion of the quasi-judicial officer. The quasi-judicial officer may limit the total amount of time provided for public comment.

3. Before public comment is taken, the Commission Secretary shall read the following admonition:

   "Disciplinary hearings regarding possible permit suspensions or revocations are quasi-judicial proceedings. The decisions of the Commission must be based exclusively on properly admitted evidence. The Commission may not base any factual determinations necessary for its decisions on anything other than such evidence. Information presented through public comment is not evidence and will not be considered by the Commission for those purposes."

D. Presentation of the Case

1. The Department's representative has the burden of proof and shall speak first. The Department's representative and the defendant shall each have seven (7) minutes to present their case in chief, including the presentation of witnesses. The parties may request, and the quasi-judicial officer in his or her discretion may grant, additional time to the parties if the matter is complex.

2. There shall be no cross-examination of witnesses as a matter of right, but the opposing party may propose questions for adverse witnesses through the quasi-judicial officer, or the quasi-judicial officer may allow cross-examination at his or her discretion.

IV. Procedures Specific to Disciplinary Cases Heard by Hearing Officers

A. Questions from the Hearing Officer

1. After each side has presented its case in chief, or during the presentation, the hearing officer may entertain questions for the parties.

B. Rebuttal

1. After the hearing officer has have concluded his or her questions, the Department's representative and the defendant shall each have three (3) minutes to present their rebuttal, if any. The Department's representative shall speak first.

C. Deliberations

1. After each side has presented its rebuttal, if any, the hearing officer may entertain final questions for the parties.

2. The hearing officer shall issue a written proposed decision, which shall operate as a recommendation, to the Commission within ten (10) business days after the conclusion of the hearing. The proposed decision shall include written findings and recommendations regarding penalties.

D. Calendaring of the Hearing Officer's Recommendation

1. The President of the Commission shall place the hearing officer's recommendation on the Commission's consent calendar for the next scheduled meeting occurring not less than ten (10) calendar days after receipt of the recommendation.

2. The Commission shall adopt, modify, or deny the hearing officer's recommendation, or may remand the matter to the hearing officer for further proceedings.

3. A two-thirds majority vote of the Commission is required to reject the factual basis for the hearing officer's recommendation. The Commission may remand the matter or re-hear the matter if it rejects the factual basis.

4. For disciplinary cases, the Commission may vote to modify the hearing officer's recommended penalty by a simple majority without rehearing the case, as long as the Commission accepts the factual basis for the hearing officer's recommendation.

5. For recommended decisions on permit applications, the Commission may vote to modify the hearing officer's recommended decision by imposing conditions on the permit or applicant by a simple majority without rehearing the case, as long as the Commission accepts the factual basis for the hearing officer's recommendation.

V. Procedures Specific to Disciplinary Cases Heard at the Commission

A. Questions from the Commission

1. After each side has presented its case in chief, the Commission President may entertain questions for the parties from the Commission members.

B. Rebuttal

1. After the Commission members have concluded their questions, the Department's representative and the defendant shall each have three (3) minutes to present their rebuttal, if any. The Department's representative shall speak first.

C. Deliberations

1. After each side has presented its rebuttal, if any, the President of the Commission may entertain final questions for the parties from the Commission members.

2. The Commission members shall then conduct their deliberations and, in their discretion, introduce and adopt any motions to dispose of the case.

VI. Findings

A. If the Commission votes to continue a summary suspension, the Commission shall adopt findings. The findings may be considered and adopted by the Commission at the same meeting or at a subsequent meeting. However, the decision to continue the suspension shall take effect immediately.

B. If the Commission votes to impose discipline, the Commission shall adopt findings. The findings may be considered and adopted by the Commission at the same meeting or at a subsequent meeting. The Commission's decision shall take effect on the date of notice to the party of the Commission's findings.

C. If the Commission is voting on an application for a permit, the final vote and any conditions attached to the permit or applicant shall be recorded in the Commission's official minutes and findings shall not be required. The Commission's decision shall take effect on the next business day immediately following the vote.

VII. Rehearings

A. An application for rehearing of a Commission determination may be filed by the permit holder within seven calendar (7) days after the adoption of findings.

B. The Commission shall act upon an application for rehearing on the next available Commission calendar, but no later than thirty (30) days after the date of filing of the application. If the Commission does not act on the application within the specified thirty (30) days, the application shall be deemed denied and such denial shall be final and conclusive.

C. The Commission may grant an application for rehearing on only one or both of the following grounds:

1. A subsequent change in the applicable law; or

2. The permit holder has discovered new evidence, material to the case, which the permit holder could not, with reasonable diligence, have discovered or procured prior to the hearing. Repetitive or cumulative evidence shall not satisfy this ground.

An application for rehearing shall be denied if the application contains allegations unsupported by specific references to subparagraphs (1) or (2) above.

D. When a rehearing is sought on grounds of newly-discovered evidence, such an application must contain an offer of proof, specific in detail, providing:

1. The names of witnesses to be produced;

2. A summary of the testimony to be elicited from such witnesses;

3. A description of such documentary evidence as is to be offered;

4. The effect which it is contended such evidence will have on the record and on the prior decision; and

5. A full and accurate statement of the reasons why such testimony or exhibits could not reasonably have been discovered prior to the hearing or produced at the hearing.

SFMTA | Municipal Transportation Agency

TAXICAB COMMISSION MINUTES

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October 14, 2008 at 6:30 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

Director Jordanna Thigpen: Cell phone admonishment

1. Call to order/ Roll Call – All attending

2. Staff Report and Commissioner Announcements [INFORMATION]

· **Director Thigpen:** Overview of item. October 28 meeting rescheduled for October 31, 11:00 AM. Introduces new Commissioner Arthur Tom.

· **Com Tom**: Introduction

· **Keith Raskin**: Would like to add language on the wrap of taxis to include "Don't be taken for an illegal ride"

· **Director Thigpen**: Commission would have to approve this.

· **Sergeant Reynolds**: Two football games since last meeting, people were waiting 2 -3 hours for a cab and a ramp was needed but all were on line at the airport. Overview of other issues.

· **Com Breslin**: Welcomes Commissioner Tom. Taxis have an issue getting in Candlestick Park and should create a better route for the drivers.

· **Com Suval**: Dispatch should be more honest if a cab is arriving or not.

· **Com Paek**: Appreciates Sgt Reynolds reports. Gets very few complaints that the cameras are not working.

· **Sgt Reynolds**: Cameras are working and trained officers know to check when pulling cabs over.

Public Comments:

· **Ruah Graffis**: Gate D at the park is about mile from the door.

· **Barry Taranto**: DPT needs to do their job. No smoking rule will be brought before the Board of Supervisors.

· **Emil Lawrence**: Sgt Reynolds doing a good job. Doesn't believe all ramps are at the airport.

· **Carl Macmurdo**: MUNI can handle the resources for only 8 games a year and send buses to pick up passengers and bring them to the City or take them to the airport.

· **Peter Witt**: The taxi commission should have an advisory group.

· **Sgt Reynolds**: At Gate D there is a small scooter to get people to and from the area.

· **Tariq Mehmood**: Drivers have to make money and going to Candlestick is not profitable.

· **Mark Gruberg**:Glad to hear of the investigation on the "pay offs" in the industry.

3. Consideration of Controller's Report on San Francisco Gate and Meter Fees [INFORMATION AND POSSIBLE ACTION]

· **Kurt Fuse, Controller's Office**: Overview of report

· **Pres Gillespie**: What's the effect on the paratransit budget?

· **Rick Wilson, Controller's Office:** Adjustments would increase the paratransit program and would be required to be funded.

· **Director Thigpen**: Goes over the procedure and since the initial deadline wasn't met, the other deadlines have also been pushed forward by 30 days. If the Board of Supervisors or Mayor do not hold a hearing on this then the increases will automatically go into effect.

· **Com Oneto**: Why was gate increased?

· **Rick Wilson**: Although it was increased in August, this meets the CPI increase, adding $1.50 to the current $91.50.

· **Com Breslin**: What is the CPI based on?

· **Kurt Fuse**: Based on 2 years.

Public Comments:

- **Dave Barlow**: Inflation will be rising and ford sedans are expensive to operate and some approved vehicles are not fuel efficient. 10% increase should be considered. Monthly medallion fee is putting pressure on the industry.

- **Bud Hazelkorn**: Increases are benign but are not necessary with a economic downturn ahead.

- **Emil Lawrence**: Other cities take more money home. Commission raises gate and increases fees and cab drivers have not received a pay increase.

- **Barry Taranto**: Urge the Commission to support the changes but not the gate increase. Getting paid well equals better service.

- **Carl Macmurdo:** Bitterness in the industry and urges the Commission to adopt the report.

- **Marty Smith**: Approves of the increases, although the paratransit increase will be an issue. The new bid should have the new fees included.

- **Bashir Rahimi**: Drivers need this increase.

- **Dan Hinds**: Recommendations should not be approved since the economy looks as it will be taking a down turn. Rather then raise the meter, offset the radio fee, shifting the balance and rewarding the drivers and rather than increasing the gate, increase the surcharge for hybrid vehicles.

- **Naighm Malik**: .50 on the flag drop will not cover the fee. Meter increase will lessen customers. Companies will make more money and drivers will lose out.

- **Jim Gillespie:** Commission should adopt the recommendations.

- **Ruah Graffis:** Color schemes are getting more money then they need with the gate increase.

- **Jane Bolig**: Hybrids are expensive to operate.

- **Peter Witt**: The Commission does not need to adopt this it is automatic.(submitted 150 words)

- **Tariq Mehmood:** Appreciates the report. Global economy and there won't be a recession but possibly a slow down.

- **Mark Gruberg:** This is the time for a meter increase but no additional gate increase.

- **Com Breslin:** Timing does not seem right although drivers need an increase. Drivers should pick up short fares or customers will be making other choices.

- **Com Benjamin**: Industry performed almost 600,000 rides with only 9 complaints. Controller report overdue and drivers need an increase but agrees that the Board of Supervisors will need to reexamine the gate fee.

- **Director Thigpen:** There are a lot of reforms the commission can review to help drivers.

- **Com Paek:** Increasing the meter rate should be done and would like to see the system to see if there is anything else we can do, for example health insurance. Gate fee should stay as it is.

- **Com Tom:** Has heard both sides, the timing is tough, what about a per person surcharge as opposed to the meter increase?

- **Pres Gillespie:** Respects the process every 2 years and should take these seriously with a possibility of lower meter increase then recommended.

- **Director Thigpen:** Will summarize comments in a memo and will be available for review.

4. Consideration of Proposed Procedures for Commission Disciplinary and Qualification Hearings [ACTION]

- **Director Thigpen:** Combined current procedures and added proposed rules.

- **President Gillespie**: Have you made any substantive changes?

- **Director Thigpen**: The hearing rules for drivers are all new and based on the code.

Public Comment:

- **Jane Bolig:** Qualification number 5 is an issue of concern. Burden of proof does apply to the applicant but then the burden shifts to the Commission since there should be a presumption of innocence. Once charges are made the prosecution shouldn't add more to the complaint. Would like something to be referred that cases should be brought based on evidence and not inference.

- **Com Breslin:** Waybills are important to this unless we change the way they are kept since they are difficult to use in the cases.

- **Com Oneto:** This is not prosecution this is application process.

- **Tariq Mehmood:** The 30 day notice required is not enough time.

- **Director Thigpen:** Should remove all of section 7 since it will be heard at the Board of Appeals.

- **Keith Raskin:** Summary suspension is to broad and public safety should be defined.

- **Gratch:** The industry is overregulated and should be addressed

- **Pres Gillespie:** That would only occur if there were abuses by the executive director and the Sgt.

- **Com Oneto:** Motion to approve 4D3 to a simple majority vote and delete all of Section 7.

- **Com Breslin** :Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto,Paek, Suval, Tom **No:** 0

Absent: 0 **Recuse:** 0

SPECIAL ORDER 8:00 – 8:30 PM

5. Public Comment (Please limit public comment to items NOT on the agenda)

- **Kenendra:** Some drivers are misleading other drivers and attacking Yellow Cab.

- **Christina Amzayan**: Speaking on behalf of her father Seryan Amzayan who is very dedicated taxi driver. Has been turned away by the commission

- **Barry Taranto**: Illegal limos wait on Minna Street for illegal fares. It is about time to have a hearing on long term leases. Cab stands should be enforced by DPT. Customer service should be taught to drivers.

- **Dan Hinds:** Charter reform group has not met for some time. Commissioner to monitor disabled medallion holders to drive.

- **Tariq Mehmood:** Driver Steve Clover died of a heart attack. Some commissioners should not discourage immigrant drivers from speaking.

- **Naigm Malik:** Commissioners should create a bill of rights for the drivers and health care. Would like to use 311 to call a taxi.

- **Bashir Rahimi:** Has been suspended and many want to know what Rahimi III compalint would be?

- **Mohamed Booya:** Problems with illegal taxis and limos. Customer called a Yellow Cab via the phone book but was a fraud. Knows Mr. Amzayan and should get a cab.

- **Emil Breslin:** Likes the surcharge on persons and should implement surcharge for no shows, credit cards and luggage from the airport.

- **Bud Hazelkorn:** Commission should not require disabled drivers to drive and injure themselves or others. Should implement a pension plan. Illegal limos have severely harmed the taxi business of the industry. Hotels are an issue and are either contracting with the companies or are openly working with illegal limos.

6. Consent Calendar [ACTION]

· **Director Thigpen**: Amendments to minutes and remove items E&F for further discussion

No Public Comment

· **Com Oneto**: Motion to approve item A- September 23, 2008 minutes with amendments, remove from ramp medallion waiting list B1- Gerald Cassidy , grant medallion to C1- Vladmir Zhoglo and C2- Yakov Klachovsky.

· **Com Benjamin:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No**: 0

Absent: 0 **Recuse:** 0

· **Com Benjamin**: Motion to grant color scheme changes to D1- Abdulbaki Gudu, D2- Frank Wong, D3- Mohsen Barakah

· **Com Suval**: Second motion

Ayes: Benjamin, Breslin, Oneto, Paek, Suval, Tom **No:** 0

Absent: 0 **Recuse**: Gillespie

· **Director Thigpen:** Overview of item E&F

· **Dean Najdawi**: Request to be placed back on the medallion waiting list although has never driven a SF Taxi.

· **Com Paek:** Motion to retract September 9, 2008 vote for E1- Dean Najdawi

· **Com Breslin**: Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No:** 0

Absent: 0 **Recuse**: 0

· **Com Benjamin:** Motion to remove name from medallion waiting list for not meeting and not attempting tomeet the driving requirement F1- Dean Najdawi

· **Com Oneto:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No:** 0

Absent: 0 **Recuse:** 0

7. Consideration of Hearing Officer's Recommendation in <u>Taxi Commission v. Scott Van Leuven</u>, Permit # 675 [ACTION]

- **Consideration of Decision to Lift Summary Suspension Issued for Violations of Rules 4.A.1 and 4.A.3 (allowing unlicensed and suspended driver to operate his taxicab vehicle)**

· **Director Thigpen**: Accepted hearing officer's decision when she made it at the bench.

Public Comment:

· **Barry Taranto:** Shame on Scott Van Leuven to be greedy and go to a broker.

· **Com Breslin:** Is there a procedure in place when Sgt Reynolds is not here that there is a notice procedure

in place?

· **Director Thigpen:** He was here during the suspension but we were both swamped.

· **Com Oneto:** Motion to uphold the hearing Officer's decision.

· **Com Benjamin:** Second Motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No**: 0

Absent: 0 **Recuse:** 0

8. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Kingsley Njemanze, Temporary Permit [ACTION]

- **Consideration of Decision to Uphold Summary Suspension for Violations of Rules 6.A.1, 6.A.4, 6.D.2, 6.D.3, Vehicle Code §§ 20001(a), 21950(a), and Penal Code § 243 (d), Pending Disciplinary Complaint on Underlying Matters**

- Item was continued.

9. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Ikarouien [ACTON]

- **Consideration of Recommendation to Re-Hear Case for Violations of Rules 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 and Uphold Summary Suspension Pending Re-Hearing**

· **Director Thigpen**: Hearing Officer recommends the Commission to either rehear the case or hear it before the Commission.

· **Pres Gillespie:** Would prefer a hearing officer to hear this first.

· **Director Thigpen:** District Attorneys office has turned down hearing the case. A superior court action has already been taken and a restraining order issued.

· **Com Breslin:** Agrees with Pres Gillespie and thinks it is better to have this heard before a hearing officer.

Public Comment:

· **Janice Hennesey:** Was attacked by the driver and taking taxis has been very difficult and these things should not happen. Has never been a victim and is now afraid.

· **Barry Taranto**: This is accountability of medallion holders and companies to be responsible for drivers.

· **Tariq Mehmood**: Very sorry to this young lady and due process will take place. The industry is sorry and respects you and work hard for their customers.

· **Ruah Graffis:** Tragic case. SF Detail runs background checks on medallion holders and drivers unlike limo drivers.

· **Bashir Rahimi**: Sad to hear this type of story

· **Peter Witt**: How long has this guy been a cab driver? Low pay attracts a lot of people. This is not surprising but sad.

· **Com Breslin:** Is the suspension still enforced?

· **Director Thigpen:** We were waiting for the DA's office to release the case, which is the reason for the delay. All the cab companies are aware he is suspended.

· **Com Breslin:** Motion to have a hearing officer rehear this case and the suspension remains until the hearing.

· **Com Paek:** Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No**: 0

Absent: 0 **Recuse:** 0

10. Consideration of Resolution Clarifying that the ADA Policy Exists for P-16 and P-68 Permit Holders and not for P-16 and P-68 Permit Applicants [INFORMATION] – Continued but took public comment on this item.

Public Comment:

· **Mark Gruberg:** Current ADA policy should not apply to drivers on the list. But there should be some law for these applicants.

· **Director Thigpen**: Will amend it to reflect both regular and ramp permits.

11. Adjournment - 10:20pm

Explore:

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- Bicycle Meetings
- Livable Streets
- Taxi Meetings
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- Parking Meetings
- Traffic Meetings
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San Francisco Taxicab Commission

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October 31, 2008 *Note Change of Time and Date

TAXICAB COMMISSION AGENDA

10-24-08P01:11 RCVD

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OCT 24 2008

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October 31, 2008 at 11:00 a.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
   SPECIAL ORDER 11:15 AM – 11:45 AM
3. Public Comment (Please limit public comment to items NOT on the agenda)
4. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Kingsley Njemanze, Temporary Permit [ACTION]
   - Consideration of Decision to Uphold Summary Suspension for Violations of Rules 6.A.1, 6.A.4, 6.D.2, 6.D.3, Vehicle Code §§ 20001(a), 21950(a), and Penal Code § 243(d), Pending Disciplinary Complaint on Underlying Matters
5. Recommendations from Taxi Advisory Group [INFORMATION]
6. Clean Air Taxi Program: First Quarter Report [INFORMATION]
7. Gov. Code § 53075.5 and Amendments Required to Article 16 To Bring San Francisco Into Compliance [INFORMATION]
8. Consent Calendar [ACTION]
9. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the October 14, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	Color Scheme:	Medallion Type:	Police Background Check:
1. Charles L. Johnson	National Cab	Alt. Fuel	Pending Clearance

2. Radwan Rashid	Royal Cab	Alt. Fuel	Cleared
3. Kalesilassie Gebresilassie	SF American	Alt. Fuel	Pending Clearance
4. Robert A. Duncanson	Yellow Cab Co-Op	Alt. Fuel	Cleared
5. Getahun Assefa	DeSoto Cab	Alt. Fuel	Cleared
6. John Gould	National Cab	Alt. Fuel	Pending Clearance
7. Zuhair Sinada	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
8. Seryan Amzayan	Yellow Cab Co-Op	Alt. Fuel	Cleared

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List #	Reason
1. William M. Iversen	6-593	MPC §1080(c)(2): Failure to respond and submit an applications.
2. Russell Williams	6-595	MPC §1080(c)(2): Failure to respond and submit an applications.
3. Telesforo T. Ochoa	6-596	MPC §1080(c)(2): Failure to respond and submit an applications.
4. Fortunato Brun	6-598	MPC §1080(c)(2): Failure to respond and submit an applications.
5. Keith K. Yu	6-600	MPC §1080(c)(2): Failure to respond and submit an applications.
6. Felix Lantsman	6-604	MPC §1080(c)(2): Failure to respond and submit an applications.

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Scott Van Leuven	675	Luxor to Metro
2. Manoch Amirehsani	9062	Yellow to Bay
3. Marwan Deisieh	1030	DeSoto to Yellow
4. Elias Negash	9069	DeSoto to Comfort

E. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
1. Masoud Charsoughi	6-587	Ramp

F. Consideration of Taxi Commission to Allow Medallion Holder to Park Taxi at Alternate Site:

Applicant Name:	Medallion #:	Alternate Site:	Color Scheme:
1. B&W Checker	9 medallions	2560 Marin Street S.F.	B&W Checker

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the November 25, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Police Background Check:**
1. Woldu Kelati	Yellow Cab Co-Op	Ramp	Pending Clearance
2. Khaldoun F. Sukkar	Royal Taxi	Ramp	Pending Clearance
3. Emmanuel Agu	Luxor Cab	Ramp	Pending Clearance
4. Wossen Endalkachew	Yellow Cab Co-Op	Alternative Fuel	Pending Clearance
5. Raymond Wong	Luxor Cab	Ramp	Pending Clearance
6. John Zucca	Luxor Cab	Ramp	Cleared

B. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	**List #**	**Reason**
1. Steven G. Law	6-605	MPC §1080(c)(2): Failure to respond and submit an applications.
2. Kwok M. Lee	6-606	MPC §1080(c)(2): Failure to respond and submit an applications.
3. Yakub Mahmudoglu	6-607	MPC §1080(c)(2): Failure to respond and submit an applications.
4. Russell G. Snipes	6-608	MPC §1080(c)(2): Failure to respond and submit an applications.
5. William H. Naylor	6-611	MPC §1080(c)(2): Failure to respond and submit an applications.
6. William Tam	6-613	MPC §1080(c)(2): Failure to respond and submit an applications.
7. Kiumars Yaghoubi	6-615	MPC §1080(c)(2): Failure to respond and submit an applications.

C. Consideration of the Taxi Commission to grant a Colro Scheme Permit Transfer:

Color Scheme:	**Transfer Permit From – To**
1. Max Cab	Sai M. Chiang to Steven B Gee

D. Consideration of the Taxi Commission to deny eligibility of a **Ramp** Medallion to the following applicant(s) per Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List#	Reason
1. Jagdish Chanana	6-869	Time Waiver Expired; Failed to respond to the Taxi Commission upon completion of the ramp driving requirement.

E. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Certificate program	July 22, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		ongoing
2008 Color Scheme Report		

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call the Taxi Commission at (415) 503-2180 to discuss meeting accessibility. In order to assist the City's efforts to

accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90, for more information go to www.sfmta.com. For information about MUNI accessible services, call 311.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3(b); Admin.Code Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Adele Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. ***(San Francisco Administrative Code, sec. 67A***

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Today

Tamara O... 8:52 AM
11/11/2008 Taxi Co...

11/11/2008 Taxi Commission Meeting Cancelled

Tamara Odisho [Tamara.Odisho@sfgov.org]

Sent: Monday, November 10, 2008 8:50 AM

Hello:

In observance of Veteran's Day tomorrow, Tuesday November 11, 2008, San Francisco City Hall and all Departments will be closed. The Taxi Commission meeting is cancelled and will not be rescheduled for a later date. The next Taxi Commission meeting is scheduled for Tuesday, November 25, 2008.

All this information is posted on our website: www.sfgov.org/taxicommission. Please forward this email to anyone you may think not included on this list.

Thank you,
Tamara Odisho
Outreach Coordinator & Executive Assistant
San Francisco Taxi Cab Commission
25 Van Ness Avenue, Suite 420
San Francisco, CA 94102
415.503.2180
415.503.2186 fax

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San Francisco Taxicab Commission

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November 25, 2008- Special Meeting Change in Time to 1:00 PM

Note Special Time

TAXICAB COMMISSION AGENDA

11-21-08P0 54 RCVD

November 25, 2008 at 1:00 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consent Calendar [ACTION]
4. Clean Air Taxi Program: First Quarter Report [INFORMATION]
5. Consideration of Possible Working Group for "Taxi Wrap Benefit Fund" to Determine Disposition of Funds Collected From Taxi Wraps [DISCUSSION AND POSSIBLE ACTION]
6. San Francisco Municipal Transportation Agency and Taxi Commission Merger: Discussion of Taxi Commission Goals through March 1, 2009 [DISCUSSION]
7. Disciplinary Case: Taxi Commission v. Driss Elassali (Elassali I) [ACTION]
   - Consideration of Hearing Officer's Decision On Complaint for Violations of MPC §§ 1110,1187.1, 1078(a), 1120, 1091, 1092, 1094, and 1095, and Rules 6.A.1, 6.A.4, 6.A.8, 6.A.9, 6.A.11
8. Disciplinary Case: Taxi Commission v. Amine Benchekor [ACTION]
   - Consideration of Hearing Officer's Decision on Complaint for Summary Suspension for Reasons of Public Health and Safety for Aggressive Behavior

SPECIAL ORDER 4:00 – 4:30 PM

9. Public Comment (Please limit public comment to items NOT on the agenda)
10. Proposed Amendments to Medallion Holder Section of The Taxicab/Ramped Taxi Rules and Regulations [DISCUSSION AND POSSIBLE ACTION]:
    - Proposed Amendment to Rule 4.A.9
    - Proposed Amendment to Rule 4.A.10
    - Proposed Amendment to Rule 4.A.11
    - Proposed New Rule 4.A.13
11. Proposed Amendments to Color Scheme Section of The Taxicab/Ramped Taxi Rules and Regulations [DISCUSSION AND POSSIBLE ACTION]:
    - Proposed Rule 5.H.
    - Proposed Rule 5.H.4

12. Adjournment

CONSENT CALENDAR

A. Consideration of the Minutes from the October 31, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Police Background Check:**
1. Kalesilassie Gebresilassie*	SF American	Alternative Fuel	Pending Clearance
2. Woldu Kelati	Yellow Cab Co-Op	Ramp	Pending Clearance
3. Emmanuel Agu	Luxor Cab	Ramp	Pending Clearance
4. Wossen Endalkachew	Yellow Cab Co-Op	Alternative Fuel	Cleared
5. Raymond Wong	Luxor Cab	Ramp	Pending Clearance
6. John Zucca	Luxor Cab	Ramp	Cleared

*Continued from October 31, 2008

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080 (c)(2) for failure to respond and submit an application:

Applicant Name	**List #**	**Reason**
1. Steven G. Law	6-605	MPC §1080(c)(2): Failure to respond and submit an applications.
2. Kwok M. Lee	6-606	MPC §1080(c)(2): Failure to respond and submit an applications.
3. Yakub Mahmudoglu*	6-607	MPC §1080(c)(2): Failure to respond and submit an applications.
4. Russell G. Snipes	6-608	MPC §1080(c)(2): Failure to respond and submit an applications.
5. William H. Naylor	6-611	MPC §1080(c)(2): Failure to respond and submit an applications.
6. William Tam	6-613	MPC §1080(c)(2): Failure to respond and submit an applications.
7. Kiumars Yaghoubi	6-615	MPC §1080(c)(2): Failure to respond and submit an applications.

*Continue to December 9, 2008

D. Consideration of the Taxi Commission to grant a Color Scheme Permit Transfer:

Color Scheme:	**Transfer Permit From – To**
1. Max Cab	Sai M. Chiang to Steven B Gee

E. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Viboon Vannakittikun *	171	Bay to Yellow Cab
2. Thomas Eng *	368	DeSoto to Yellow Cab

* Commission would be required to waive notice

F. Consideration of the Taxi Commission to deny eligibility of a **Ramp** Medallion to the following applicant(s) per Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	**List#**	**Reason**
1. Jagdish Chanana	6-869	Time Waiver Expired; Failed to respond to the Taxi Commission upon completion of the ramp driving requirement.

G. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	**List Number:**	**Type of Medallion:**
1. Masoud Charsoughi	6-587	Ramp
2. Kalesilassie Gebresilassie*		Alternative Fuel

*Commission would be required to waive notice there are no applications or supporting documents with this item

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the December 9, 2008 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Background Check:**
1. Mahmood B. Rudsari	Town Taxi	Alternative Fuel	Pending
2. Herbert Gee	Luxor Cab	Ramp	Cleared
3. Leonid Leinov	Yellow Cab Co-Op	Alternative Fuel	Pending
4. Aleksandr Geyler	SF Taxi	Alternative Fuel	Pending
5. Arkady Dvoskin	Town Taxi	Alternative Fuel	Cleared
6. Young Yi	Regents Cab	Alternative Fuel	Cleared
7. Oleg Ryabtsev	Black & White Checker	Alternative Fuel	Cleared
8. Robert H. Groves	Yellow Cab Co-Op	Alternative Fuel	Cleared

9. Sohel Rahman	Luxor Cab	Alternative Fuel	Cleared
10. Val Nikoff	Town Taxi	Alternative Fuel	Cleared
11. Devin Walker	Yellow Cab Co-Op	Alternative Fuel	Cleared
12. Jaime Meza	Arrow Cab	Alternative Fuel	Pending
13. Francis Menconeri	Yellow Cab Co-Op	Alternative Fuel	Pending
14. David Xe	Black & White Checker	Alternative Fuel	Pending

B Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List #	Reason
1. Paramjit B. Singh	6-618	MPC §1080(c)(2): Failure to respond and submit an applications.
2. Jehad J. Baqleh	6-621	MPC §1080(c)(2): Failure to respond and submit an applications.
3. Nikolai Romanov	6-623	MPC §1080(c)(2): Failure to respond and submit an applications.
4. Jignasa Patel	6-626	MPC §1080(c)(2): Failure to respond and submit an applications.
5. Anthony R. Coate	6-627	MPC §1080(c)(2): Failure to respond and submit an applications.

C. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:
1. Leonid Slootsky	6-633	Alternative Fuel

D. Taxi Commission to consider grant a new color scheme permit to:

Applicant Name:	Medallion Number:	New Color Scheme:
1. Tam Dinh Nguyen	1311	Vina Cab

E. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Mikail Lirisman	450	Yellow to B&W Checker
2. Michael Spain	1149	Yellow to Bay Cab
3. Jimmy Velez	1143	Arrow to Royal Taxi
4. Tesfaye Chuffa	9078	Luxor to Bay Cab

F. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		

Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Certificate program	July 22, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing

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A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

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Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

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ARTHUR TOM,COMMISSIONER, ext 4

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION MINUTES

November 25, 2008 at 1:00 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

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Director Jordanna Thigpen: Cell phone admonishment
1. Call to order/ Roll Call
Present: Benjamin, Breslin, Gillespie, Oneto, Paek (late), Tom **Absent:** Suval

2. Staff Report and Commissioner Announcements [INFORMATION]

- **Director Thigpen:** Overview of updates.
- **Sgt Reynolds:** Updates and discussion.
- **Com Benjamin:** Why are there about 60 medallions that have not been approved?
- **Director Thigpen:** The Board of Appeals directed the Taxi Commission to release 10 medallions per month.

Public Comment:

- **Richard Hybels:** When you get into a black town car, it's like hitchhiking.
- **Ruah Graffis:** Appreciates that drivers can't meet minimum wage, but if permit holders weren't getting 2-3 thousand per month it may stop these guys from driving a limo.
- **Barry Taranto:** The hotel is only allowing one driver per medallion for the raffle, unfair.
- **Peter Witt:** A driver on the medallion list should be dropped if caught on driving a limo.
- **Amine Benchekor:** Geary and Powell light is difficult.

3. Consent Calendar [ACTION]
Director Thigpen: Overview of items. Remove all items in section B and G.
Public Comment:

- **Charles Rathbone:** Congratulates everyone receiving this medallion.
- **Com Oneto:** Motion to approve items A- minutes, C1-7- remove names from the waiting list and F- ramp removal
- **Com Breslin:** Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Tom **No:** 0
Absent: Paek (late), Suval **Recuse:** 0

- **Director Thigpen:** Overview of item B1- Kalesilassie Gebresilassie
- **Kalesilassie Gebresilassie:** Has driven a taxi for over 15 years and was away for some time for a court case. When returned received the offer letter and tried to gather waybills but American couldn't find 2 years of waybills.

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- **Pres Gillespie:** When did you leave the country?
- **Kalesilassie Gebresilassie:** Left December 30, 2007 and returned in September 2007.
- **President Gillespie:** Would like to continue this item to January for further investigation.
- **Director Thigpen:** Overview of the item B2- Woldu Kelati.
- **Com Breslin:** Is there a system that we have with the companies when a driver has their license suspended that they contact our office?
- **Director Thigpen:** Has enrolled the Commission into the DMV program that we will be able to find out about this information.
- **Woldu Kelati:** Didn't know that the suspension applied to commercial driving. Since it was only his personal DMV license that was suspended..
- **Com Benjamin:** While you were at court did they know that you were a taxi driver?
- **Woldu Kelati:** I don't know.

Public Comment:

- **Jim Gillespie:** Driver has been working for Yellow since 1990 and only thing on his record was the DUI. Carreer driver who made a mistake but passed PCC.
- **Com Benjamin:** What's Yellow's policy on checking suspended licenses?
- **Jim Gillespie:** In 2005 we ran a report every 6 months and someone missed that.
- **Unknown Name:** Known him for years. We all make mistakes and he deserves a second chance.
- **Unknown Name:** Has been a driver for over 20 years, nice gentlemen who deserves to be in the industry
- **Samson:** A good man makes a good driver, his DUI was a misdemeanor and not a felony and shouldn't be charged as a criminal.
- **Mark Gruberg:** Has read the report but if his one mistake was a DUI 4 years ago, that should not hold him back from receiving a medallion.
- **Barry Taranto:** He shouldn't be penalized for the DUI at least he didn't falsify waybills.
- **Com Breslin:** DUI is not the issue. The issue is driving on a suspended license and that he applied the suspension to personal driving. If he had known he shouldn't be driving, I personally don't think he would have driven his taxi. This is about whether or not the driving was willful.
- **Com Benjamin:** Motion to approve this medallion and required to issue a DMV print out for one year every 6 months. Should know he is not allowed to drive on a suspended license.
- **Com Oneto:** Second motion.
- **Com Tom:** Worried that ruling maybe sending a wrong message to the industry by allowing this and setting this as a precedent.
- **Com Paek:** Thankfully there was no accident.
- **Director Thigpen:** Roll Call

Ayes: Benjamin, Breslin, Oneto, Paek, Tom No: 0
Absent: Suval Recuse: Gillespie

- **Com Onteo:** Motion to grant medallion to B4- Wossen Endalkachew
- **Com Paek:** Second motion

Ayes: Benjamin, Breslin, Oneto, Paek, Tom No: 0
Absent: Suval Recuse: Gillespie

- **Com Oneto:** Motion to grant medallions to B3- Emmanuel Agu, B5- Raymond Wong, & B6- John Zucca
- **Com Paek:** Second motion

Ayes: Breslin, Gillespie, Oneto, Paek, Tom No: 0
Absent: Suval Recuse: Benjamin

- **Com Benjamin:** Motion to approve color scheme permit transfer of Max Cab from Sai Chiang to Steven Gee
- **Com Tom:** Second motion

Ayes: Benjamin, Gillespie, Oneto, Paek, Tom No: 0
Absent: Breslin (Stepped out for this vote), Suval Recuse: 0

- **Com Paek:** Motion to waive notice for item E.
- **Com Benjamin:** Second motion.

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Ayes: Benjamin, Oneto, Paek, Tom No: 0
Absent: Breslin (Stepped out for this vote), Suval Recuse: Gillespie

- **Com Paek:** Motion to approve color scheme changes for E1- Viboon Vannakittikun and E2- Thomas Eng
- **Com Oneto:** Second motion.

Ayes: Benjamin, Oneto, Paek, Tom No: 0
Absent: Breslin (Stepped out for this vote), Suval Recuse: Gillespie

- **Director Thigpen:** Overview of item G1- Masoud Charsoughi
- **Pres Gillespie:** You haven't driven a taxi until December 2006. This isn't a reward to put your name on your list. You can't meet the requirements to receive the medallion.
- **Masoud Charsoughi:** Wasn't told that he was required to have an A-card.
- **Com Oneto:** Motion to deny time waiver to G1- Masoud Charsoughi based on the fact he won't be able to meet the driving requirement.
- **Com Benjamin:** Second motion.

Ayes: Benjamin, Gillespie, Oneto, Paek, Tom No: 0
Absent: Breslin (Stepped out for this vote), Suval Recuse: 0

- Item G2- Kalesilassie Gebresilassie continued

4. Clean Air Taxi Program: First Quarter Report [INFORMATION]

- **Director Thigpen:** Overview of results.
- **Pres Gillespie:** Would like to add a column to the Green Guide. Changes to memo.
- **Ben, Clean Energy:** Clean Energy recently purchased a large landfill in Texas which will reduce green house gases.
- **John Janes:** Industry is doing well with converting vehicles. Thanks Commission for help. Could he get a list of grant money available to help buyers purchase vehicles? Tax credit for Ford Escape will change for 2009.
- **Director Thigpen:** Industry lost grant money before and would not like for that to happen again.
- **Com Oneto:** What's the demand supply like?
- **John Janes:** How many would you like? We have more 2009 taxis then NYC.
- **Mike Spain:** Understands this is a quarterly report, but another column could have provided the broader success of the program. This distorts the totals. There are a lot of cars that are not being included in this that get better mileage than some of the hydrids and CNGs. Why are those vehicles that are not included?
- **Pres Gillespie:** We are only measuring since July 1, 2008 and not before.
- **Richard Hybels:** Has only placed one hybrid vehicle in the fleet. Cannot recruit new medallion holders since the list of names and addresses is no longer public.
- **Director Thigpen:** The personal information of mailing addresses cannot be released to the public.
- **Mark Gruberg:** Although not the lowest is the cleanest fleet.
- **Charles Rathbone:** Thanks Commission for their work.
- **Mary McGuire:** Really likes the Ford Escape but at 50,000 miles the sensors start to go and can't tell the tire pressure. The car also shuts off and did so while driving on the freeway. This problem needs to be handled.
- **John Janes:** Taxi community is the highest account Ford has. They are aware of the sensor issue and are working on addressing it.
- **Marty Smith:** Car show had many nice and new vehicles.
- **Jim Gillespie:** New Clean Energy station that went live last week. Largest in Northern California. Works efficiently and has 4 pumps.
- **Jane Bolig:** Entering into a transition phase with zero emission cars. It's an expensive upfront cost for companies since they are based on lines of credit which are difficult to get.

5. Consideration of Possible Working Group for "Taxi Wrap Benefit Fund" to Determine Disposition of Funds Collected From Taxi Wraps [DISCUSSION AND POSSIBLE ACTION]

- **Pres Gillespie:** Would like to create a small committee to discuss the dispersing of these funds before the merger.

Public Comment:

- **Peter Witt:** Amazing you can create something and not be able to do something.

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- Com Breslin: Are you taking names and who is on the committee?
- Pres Gillespie: Is taking names but would to keep it small.
- Director Thigpen: Overview
- Pres Gillespie: Would like to wrap up lingering items and allow members of the public to address the issues.

Public Comment:

- Barry Taranto: PCO's are not honoring drivers and doesn't think the MTA is ready for taxis.

7. Disciplinary Case: Taxi Commission v. Driss Elassali (Elassali I) [ACTION] - Continued
   - **Consideration of Hearing Officer's Decision On Complaint for Violations of MPC §§ 1110,1187.1, 1078(a), 1120, 1091, 1092, 1094, and 1095, and Rules 6.A.1, 6.A.4, 6.A.8, 6.A.9, 6.A.11**

8. Disciplinary Case: Taxi Commission v. Amine Benchekor [ACTION]
   - **Consideration of Hearing Officer's Decision on Complaint for Summary Suspension for Reasons of Public Health and Safety for Aggressive Behavior**

- Director Thigpen: Overview of the case.
- Katherine Morgan: Thanks commission

Public Comment:

- Charles Rathbone: Comments made by Mr. Benchekor's witnesses that Luxor is racist were deplorable but we do not want to block him from making an income.
- Sgt Reynolds: The DA's office didn't take up this case and was dismissed. Upset my integrity was attacked at the hearing.
- Com Breslin: Motion to uphold the hearing officer's decision.
- Com Paek: Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Tom No: 0
Absent: Suval Recuse: 0

SPECIAL ORDER 4:00 – 4:30 PM

9. **Public Comment (Please limit public comment to items NOT on the agenda)**

- Robert Vitcha: Commission should add a surcharge from Candlestick Park after games. Would like commission to consider this.
- Carl Macmurdo: Compliment staff on award ceremony
- Marty Smith: Surcharge button on vehicle to add that can easily tally cost.
- Peter Witt: (See attached notes submitted by Mr. Witt)
- Mary McGuire: Really has a problem on how the press portrays the industry. UTW doesn't represent the industry. Articles are being planted in the paper and hope it stops at MTA.
- Mike Spain: Future reports should allow other vehicles and their full percentages.
- Tariq Mehmood: Why is the Commission being folded? There were certain rules some felt were cumbersome and those people weren't heard and now the merger is happening.
- Jane Bolig: Common knowledge that Peter Witt's comments belong on paper view.

10. **Proposed Amendments to Medallion Holder Section of The Taxicab/Ramped Taxi Rules and Regulations [DISCUSSION AND POSSIBLE ACTION]:**
    - **Proposed Amendment to Rule 4.A.9**
    - **Proposed Amendment to Rule 4.A.10**
    - **Proposed Amendment to Rule 4.A.11**
    - **Proposed New Rule 4.A.13**

- Director Thigpen: Overview of items.
- Com Breslin: Believes there was more agreement on 4.A.10 than 4.A.9
- Director Thigpen: 4.A.10., drive your own medallion rule. There was discussion around this to amend the rule to allow operating any vehicle allowing

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- **Pres Gillespie:** Term words "not available" doesn't mean allowing the medallion to be leased out.
- **Com Breslin:** Unavailable does not mean long term lease should we include that language?
- **Director Thigpen:** Leases will be a major issue to address and will need to before merger.

Public Comment on Resolution 4.A.10:

- **Mark Gruberg:** Opposes the way it's being proposed and is ambigus. Needs more information.
- **Charles Rathbone:** This rule would undermine the medallion program. Require shift changing to be staggered over a number of hours.
- **Ruah Graffis:** You want to advantage good cab companies. The cab will be kept in better condition if the medallion holder is required to drive.
- **Mike Spain:** Likes the flexibility of this rule. Some of the speakers are from smaller companies. Larger companies cannot afford to wait for so long. Dispatcher then gives me a spare to operate. What vehicle I'm in doesn't matter as much as is serving the company.
- **Carl Macmurdo:** What happened during the dotcom boom where this was enforced created terrible business for the public.
- **Barry Korengold:** Agrees with Carl. One reason he wanted to be a medallion holder is to drive his own vehicle.
- **Jim Gillespie:** Perception that if a driver doesn't driver their own car will not care for it is not true. Most people don't drive their own cars.
- **Nate Dwiri:** Thanks the Commissioners for their hard work.
- **Jane Bolig:** Unfound assumptions. There won't be fewer cabs but more taxis.
- **Marty Smith:** Luxor wants vehicles on the streets as quickly as possible.
- **Com Benjamin:** Motion to approve.
- **Com Tom:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Tom **No:** 0
Absent: Suval **Recuse:** 0

- **Director Thigpen:** Would like to retroactive this rule to the last few years for audits. Overview of items 4.A.11 and 4.A.13.
- **Com Benjamin:** Can we amend 4.A.11 to allow a color scheme to activate and place the medallion on the street?
- **Director Thigpen:** Unless it is a single shifter the color scheme should be allowed to operate any medallion.
- **Pres Gillespie:** It would be very rare to ever take a medallion out of operation.
- **Com Breslin:** Should merge 4.A.11 and 4.A.13. Last 2 sentences of 4.A.11 would change it to read that drivers have a current emergency contacts on file.

Public Comment- none

- **Com Benjamin:** Motion to approve with amendments
- **Com Paek:** Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Tom **No:** 0
Absent: Suval **Recuse:** 0

- **Director Thigpen:** Overview of 4.A.9- shift changing off the property.
- **Pres Gillespie:** Is reluctant to allow drivers to shift change off property. Neighborhoods don't want cabs parked there and I don't want it to happen.
- **Com Tom:** Interesting that they park in the neighborhoods but don't service them.
- **Com Benjamin:** Waybills and lost property should be turned in.

Public Comments:

- **Ruah Graffis:** Driver was killed for shift changing off a lot.
- **Jim Gillespie:** In favor of keeping the rule tight with regards to lost property and waybills but should be allowed to change within the city limits
- **Mike Spain:** The problem will be on the neighborhoods and will be impact them.
- **Mary McGuire:** Some of the areas lots are intimidating and unsafe.
- **Ron Reynolds:** Some companies follow the rules and others follow their profits. Shift changing is challenging for SFPD unit. We need to know where the drivers are and what they are doing.7th and Towensend is a parking lot for limos and taxis.
- **Pres Gillespie:** Would like SFPD to enforce this and not send the message to drivers they can park here without

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fines.

- **Com Paek:** Motion to approve
- **Com Benjamin:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Tom No: 0
Absent: Suval Recuse: 0

11. Proposed Amendments to Color Scheme Section of The Taxicab/Ramped Taxi Rules and Regulations [DISCUSSION AND POSSIBLE ACTION]:
    - Proposed Rule 5.H.3
    - Proposed Rule 5.H.4

- **Director Thigpen:** Overview of item
- **Pres Gillespie:** Would like to agendize this for the next rules meeting and then placing it before the Commission.

Public Comment:

- **Charles Rathone:** More paper work for staff.
- **Nate Dwiri:** This would create so much paper work. Large companies can produce this on a moment by moment basis.
- **Pres Gillespie:** I see this point and smaller companies that claim they've lost rosters is the issue and maybe this can be an exemption for the larger companies.
- **Jim Gillespie:** This would be a big effort and if we have rules they need to be followed and should add penalties. Even electronically it's a huge amount of data.
- **Sgt Reynolds:** It's the smaller companies that don't want to follow the rules.
- **Pres Gillespie:** We want all the information accessible, how do we write a rule that won't be onerous on companies that are not following the rules.

12. Adjournment

25 Van Ness Avenue, Ste. 420, San Francisco, CA 94102 * (415) 503-2180 *Fax (415) 503-2186*Email: sftaxi.commission@sfgov.org *Website:www.sfgov.org/taxicommission

[redacted] (This section of the original was cut off.)

[redacted]. From Peter Witt To be included in the minutes of 11/25/02

This is 05' preliminary report on taxi-customer service.
OVER 1,000 customers every year.
BUT every year the TXC keeps losing them.

PUBLIC CORROSPONDANCE.....just disappears from the

PC& N PROCESS.....HOW IS THAT POSSIABLE ??
And WHO RESPONCEABLE ????

I'd SAY ..... It a bit of a problem went ANTICDOTALE
EVEIDENTS IS USED TO OUTLINE PULBIC POLICY.

I BELIEVE ....there are ETHICAL VIOLATIONS here

WITH REGARDS TO.....

PUBLIC TRUST,

DISGARDING CORROSOPNDANCE

& DESIMINATING INFORMATION.

The TXC accountability is now being addressed by Sunshine.

...ver

San Francisco Taxicab Commission

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December 9, 2008

TAXICAB COMMISSION AGENDA

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December 9, 2008 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Consent Calendar [ACTION]
3. Disciplinary Case: Taxi Commission v. Driss Elassali (Elassali II) [ACTION]
   - Consideration of Summary Suspension of P-44 Driver's Permit # 52819 for Violations of California Vehicle Code §§ 12500(a), 14601.1(a), MPC §§ 1089(a), and Rules 6.A.1, 6.A.2, 6.A.4, and 6.B.5
4. Disciplinary Case: Taxi Commission v. Driss Elassali (Elassali I) [ACTION]
   - Consideration of Hearing Officer's Decision On Complaint for Revocation of P-44 Driver's Permit # 52819 for Violations of MPC §§ 1110,1187.1, 1078(a), 1120, 1091, 1092, 1094, and 1095, and Rules 6.A.1, 6.A.4, 6.A.8, 6.A.9, 6.A.11

SPECIAL ORDER 8:30 – 9:00 PM

5. Public Comment (Please limit public comment to items NOT on the agenda)
6. Staff Report and Commissioner Announcements [INFORMATION]
7. Commission Priorities Prior To Anticipated March 1, 2008 Transfer to SFMTA [DISCUSSION and INFORMATION]
8. Proposed Amendments to Color Scheme Section of The Taxicab/Ramped Taxi Rules and Regulations [DISCUSSION AND POSSIBLE ACTION]:
   - Proposed Rule 5.H.3
   - Proposed Rule 5.H.4
9. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the November 25, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	Color Scheme:	Medallion Type:	Background Check:
1. Jaime Meza	Arrow Cab	Alternative Fuel	Pending
2. David Xe	Black & White Checker	Alternative Fuel	Pending
3. Oleg Ryabtsev	Black & White Checker	Alternative Fuel	Cleared
4. Andy Sinaiko	DeSoto Cab	Alternative Fuel	Pending
2. Herbert Gee	Luxor Cab	Ramp	Cleared
6. Sohel Rahman	Luxor Cab	Alternative Fuel	Cleared
7. Young Yi	Regents Cab	Alternative Fuel	Cleared
8. Aleksandr Geyler	SF Taxi	Alternative Fuel	Pending
9. Mahmood B. Rudsari	Town Taxi	Alternative Fuel	Pending
10. Arkady Dvoskin	Town Taxi	Alternative Fuel	Cleared
11. Val Nikoff	Town Taxi	Alternative Fuel	Cleared
12. Leonid Leinov	Yellow Cab Co-Op	Alternative Fuel	Pending
13. Robert H. Groves	Yellow Cab Co-Op	Alternative Fuel	Cleared
14. Devin Walker	Yellow Cab Co-Op	Alternative Fuel	Cleared
15. Francis Menconeri	Yellow Cab Co-Op	Alternative Fuel	Pending

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond and submit an application:

Applicant Name	List #	Reason
1. Paramjit B. Singh	6-618	MPC §1080(c)(2): Failure to respond and submit an applications.
2. Jehad J. Baqleh	6-621	MPC §1080(c)(2): Failure to respond and submit an applications.
3. Nikolai Romanov	6-623	MPC §1080(c)(2): Failure to respond and submit an applications.
4. Jignasa Patel	6-626	MPC §1080(c)(2): Failure to respond and submit an applications.
5. Anthony R. Coate	6-627	MPC §1080(c)(2): Failure to respond and submit an applications.

D. Consideration of the Taxi Commission to grant a Time Waiver to:

Applicant Name:	List Number:	Type of Medallion:

1. Leonid Slootsky	6-633	Alternative Fuel

E. Taxi Commission to consider grant a new color scheme permit to:

Applicant Name:	Medallion Number:	New Color Scheme:
1. Tam Dinh Nguyen	1311	Vina Cab

F. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Mikail Lirisman	450	Yellow to B&W Checker
2. Michael Spain	1149	Yellow to Bay Cab
3. Jimmy Velez	1143	Arrow to Royal Taxi
4. Tesfaye Chuffa	9078	Luxor to Bay Cab

NOTICE

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A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Thai Hong	1249	Royal to Yellow Cab

B. Consideration of the Taxi Commission for Revocation the following Taxicab Medallion Holder Permits for Non-Payment of the Annual Permit Renewal Fee:

Permit Holder Name:	Medallion / Permit Number:	Color Scheme:	Amount Due:
1. Ketema Ketema	805	Yellow Cab	$732.25
2. Mohammed Bathai	1157	Six 2 Six	$1202.25
3. Vladimir Zhoglo	1334	Big Dob	$899.68
4. Yakov Klachovsky	1340	Town Taxi	$899.68
5. Louis Nmezie	1342	Best Cab	$922.75
6. Robert Duncanson	1352	Yellow Cab	$800.00
7. Rashid Radwan	1355	DeSoto Cab	$800.00
8. Metro Cab / Richard Hybels	3021	Metro Cab	$2715.50

C. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	

Update on Yellow Prelease payments	July 22, 2008	August 12, 2008
Commissioner Benjamin		
Discussion on flag drop or meter increase	March 25, 2008	
Certificate program	July 22, 2008	
Commissioner Slaughter		
Amend rules to allow ED to suspend A card and medallion of drivers who commit offense.	June 10, 2008	
311 Reports on Type of Complaint at Each Commission Meeting	June 10, 2008	
Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing
Update on neighborhood taxi stands		ongoing
2008 Color Scheme Report		

ACCESSIBLE MEETING POLICY

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matter jurisdiction of the policy body.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro, Interim Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by e-mail at sotf@sfgov.org

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WARNING

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San Francisco Taxicab Commission

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January 13, 2008

TAXICAB COMMISSION AGENDA

January 13, 2009 at 6:30 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

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1. Call to Order/Roll Call
2. Staff Report and Commissioner Announcements [INFORMATION]
3. Consent Calendar [ACTION]
4. Annual Safety Hearing as required by Municipal Police Code § 1147.3 [INFORMATION]
5. Consideration of DRAFT SFMTA Motor Vehicle For Hire Regulations [INFORMATION AND DISCUSSION]

SPECIAL ORDER 8:00 – 8:30 PM

6. Public Comment (Please limit public comment to items NOT on the agenda)
7. Taxi Commission v. Tu Lam, Permit # 896 for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3,4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140a, MPC § 1147.7 and MPC § 1148.6b [ACTION]
8. Taxi Commission v. Ikarouien, Permit # Re-Hear Case for Violations of Rules 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 and Uphold Summary Suspension Pending Re-Hearing [ACTON]
9. Adjournment

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the December 9, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	Color Scheme:	Medallion Type:	Police Background Check:
1. Khaldoun F. Sukkar	Royal Taxi	Ramp	Pending Clearance
2. Charles Johnson	National	Alternative Fuel	Pending Clearance

C. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. Thai Hong	1249	Royal to Yellow Cab

D. Consideration of the Taxi Commission for Revocation the following Taxicab Medallion Holder Permits for Non-Payment of the Annual Permit Renewal Fee:

Permit Holder Name:	Medallion / Permit Number:	Color Scheme:	Amount Due:
1. Ketema Ketema	805	Yellow Cab	PAID
2. Mohammed Bathai	1157	Six 2 Six	PAID
3. Vladimir Zhoglo	1334	Big Dob	PAID
4. Yakov Klachovsky	1340	Town Taxi	PAID
5. Louis Nmezie	1342	Best Cab	PAID
6. Robert Duncanson	1352	Yellow Cab	PAID
7. Radwan Rashid	1355	DeSoto Cab	$800.00
8. Metro Cab / Richard Hybels	3021	Metro Cab	PAID

E. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Dev Narewatt, List # 6-568 [ACTION]

- Consideration to deny applicant P16 permit for failing to meet the full-time driving requirement for years 2006, 2007 and 2008 and, fabrication of many waybills.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 27, 2009 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	Color Scheme:	Medallion Type:	Background Check:
1. Ghaffar Khan	DeSoto Cab	Alternative Fuel	Pending Clearance
2. Kam Y. Wong	SF Taxi Cab	Alternative Fuel	Cleared
3. Robert L. Brooks	DeSoto Cab	Alternative Fuel	Pending Clearance
4. Abison Chirackal	Arrow Cab	Alternative	Cleared

		Fuel	
5. Grayson S. Bourne	Luxor Cab	Alternative Fuel	Cleared
6. H. Jim Trinidad	Bay Cab	Alternative Fuel	Cleared
7. Steven Y. Lee	Big Dog City Cab	Alternative Fuel	Cleared
8. Kenneth W. Liang	DeSoto Cab	Alternative Fuel	Cleared
9. Sanh P. Nguyen	Luxor Cab	Alternative Fuel	Not Cleared
10. James N. Sukovitzen	Luxor Cab	Alternative Fuel	Not Cleared

B. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond, meet the necessary driving requirements and submit an application:

Applicant Name	**List#**	**Reason:**
1. Saher Sweis	7-058	No longer interested in a Ramp medallion permit
2. Salvador Del Real	6-905	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
3. Walid J. Eid	6-955	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
4. Anthony E. Fernandez	6-975	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
5. David M. Fernandez	7-024	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
6. Majid H. Shaikh	6-912	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
7. Saqib Zaheer	6-945	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
8. Howard R. Meehan	6-950	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
9. Joshua A. Miller	6-963	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
10. Rami A. Sulaiman	6-999	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
11. Willie De Luca	7-039	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
		Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an

12. Sohail Sweis	7-057	application

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond, meet the driving requirement and submit an application:

Applicant Name	List #	Reason
1. Gary K. Robb	6-631	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
2. Steven E. Cloer	6-634	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
3. Raphael Wolfson	6-635	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
4. Michael J. Hutton	6-637	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
5. Valeriy Galatenko	6-640	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
6. Thomas M. Drewry	6-642	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
7. Linda P. Wong	6-617	MPC §1080(c)(2): Failure to meet the driving requirements and submit an applications.
8. James E. Holmes	6-647	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
9. Ferdinand Relosimon	6-649	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
10. Donato J. Relosimon	6-650	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
11. Jovito J. Relosimon	6-651	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
12. Jimmy Yiu	6-660	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
13. Gerald Cassidy	6-661	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
14. Rupinder K. Johal	6-639	MPC §1080(c)(2): Failure to meet the driving requirements and submit an applications.

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	Medallion #:	Change:
1. George Lancia	846	Green Cab to Metro Cab
2. Nollie Griffin	1325	Big Dog Taxi to Metro Cab

E. Commission Request to Calendar

Requestor	Date of Request	Date of Hearing
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	

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Commissioner Benjamin		
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Staff		
Adoption of new *Taxicab/Ramped Taxi Rules & Regulations*		ongoing

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7
SUSAN SUVAL, COMMISSIONER, ext 5
ARTHUR TOM,COMMISSIONER, ext 4

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION MINUTES

January 13, 2009 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. **Call to Order/Roll Call**
2. **Staff Report and Commissioner Announcements [INFORMATION]**

- **Executive Director Jordanna Thigpen:** Update
- **Sgt Reynolds:** Update

Commissioner Announcements:

- **Com Breslin:** Commends Taxi Detail for following up on lost and found and finding her cell phone. How will procedures of the Commissioner's recommendations move forward after the merger? Hopes there is a formal venue where Commissioners can present information to the MTA.

Public Comment:

- **Tariq Mehmood:** Why didn't undercover police pull over rogue taxis.
- **Sgt Reynolds:** Under cover units cannot issue citations with three exceptions to the rule.

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3. **Consent Calendar [ACTION]**

- **Director Thigpen:** Overview of items and

Public Comment

- **Tariq Mehmood:** Driver's are feeling the pinch of the economy.

4. **Annual Safety Hearing as Required by Municipal Police Code 1147.3 [INFORMATION]**

- **Director Thigpen:** Overview of item.
- **Sgt Reynolds:** Overview of details of the camera system. Some vehicles need to be updating since they are not working properly. For drivers with complaints SFPD-Detail would rather retrain drivers through education and not admonishments. Traffic statistics similar to last year. Drivers are safe drivers.
- **Pres Gillespie:** Camera issue needs to be resolved it's unacceptable that there are cameras that are not functioning.

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Public Comment:

- **Thomas George Williams:** Public safety seems to be shifting from drivers to customers. GTU is not testing cameras, which is a big issue that needs to be resolved. GPS system that comes with a debit card machine should have an emergency dispatch button.
- **Emil Lawrence:** Cannot thank Sgt Reynolds enough for all the work the police department's work on illegal limos.
- **Jane Bolig:** Complaints per vehicle very low and is a good turnout. It's important to ensure that whoever downloads the camera image is trained on the process.
- **Marty Smith:** Luxor almost 60% compliant with green vehicles.
- **Ruah Graffis:** There should be a mandate for separate rear door and front door locks. Controlling where a passenger sits.
- **Mark Gruberg:** Should be more continuity from year to year to compare progress, if it's being made.
- **Peter Witt:** (See 100 word statement attached)
- **Tariq Mehmood:** Could you quickly address the issues of limos who wait at red zones.
- **Barry Korengold:** When there are less fares companies should not put more taxis on the street. Long term drivers tend to have better driving records then newer drivers.
- **Jim Gillespie:** Drivers do an overall excellent job. If the Commission could solve the limo issue there could be at least 2000 medallions.
- **Mike Spain:** Limo problem becomes more sever in the evening from 11- 3am due to more parties or restaurants being open.

3. **Consideration of DRAFT SFMTA Motor Vehicle For Hire Regulations [INFORMATION AND DISCUSSION]**

- **Director Thigpen:** Introduction of item.
- **Christiana Hayashi:** Overview of next steps and procedures. Would like to collect input from all commissioners. Most important are administrative procedures.
- **Com Benjamin:** What is MUNI's current drug policy?
- **Christiana Hayashi:** MUNI's policy is the same policy that is listed there and is currently being enforced.
- **Pres Gillespie:** Didn't see anything that wants or needs to raise questions about but may have some in the upcoming week. Rules Committee meeting coming up and would like you to attend.
- **Com Breslin:** Proponent of the merger but wouldn't want the work of the commissioners and industry fall by the waste side.
- **Pres Gillespie:** Did you see the Chronicle article this morning?
- **Christiana Hayashi:** Has not seen the contents of the proposal of the Charter Working Group and cannot comment on it.

Public Comment:

- **Emil Lawrence:** These are not the permanent rules but an attempt. These proposals do not address the issues properly.
- **Thomas George Williams:** It's important to focus on the customers but it also should focus on quality of life for the drivers.
- **Jane Bloig:** As a member of the taxi reform group, no job is as easy as it looks and the body recommended to slowly implement the rules for the first 6 months.
- **Mike Spain:** Congratulations to Ms Hayashi. The document should have been reviewed by the Commission before the MTA advisory groups.
- **Barry Korengold:** Most important rules and should be heard and discussed by the Commission.
- **Tariq Mehmood:** Requests a special day-long meeting addressing this issue.
- **Pres Gillespie:** Hopes there will be a taxi advisory group.

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6. **Special Order 8:00pm- 8:30pm**
Public Comment (Please limit public comment to items NOT on the agenda)

- **Myriah:** Daly/Ma working well for all drivers.
- **Vina Cab:** Father wants new color scheme and would like for the Commission to approve it.
- **Marty Smith:** Tom Nguyen good medallion holder and would like the Commission to approve this application.
- **Barry Korengold:** Opposed to the Mayor's proposition of auctioning off medallions.
- **Name:** UTW filed lawsuit against city hall in federal court spending more of the drivers money.
- **Mike Spain:** Mayor's announcement on transferability today which was shocking. There are many drivers who would like to buy their own medallion and are capable of buying them. This will end the bickering that goes on in this room every other week.
- **Emil Lawrence:** There have been 2 sets of standards, one for pre k and the other for post k. The medallion becomes and annuity and a benefit. A medallion holder should have the right to retirement.
- **Thomas George Williams:** Commissioner Heinicke jumped the gun and seems like the Mayor doesn't care what the voters approved.
- **Norma:** A lot of drivers that do not know what's going to happen. The article is dismaying and doesn't understand that. This is discrimination against older drivers.
- **Mary Maguire:** Malcolm Heinicke trying to propose an auction off medallions. Plan doesn't make sense. Mayor thinks this will provide better cab service.
- **Jane Bolig:** Has a response but will work on it an email to Jordanna.
- **Tariq Mehmood:** Knew this was coming down the road 6 months ago. When it will occur is unsure. UTW is causing the industry to go down and creating more costs and fees that drivers must bear.
- **Mark Gruberg:** Mayor's message a surprise. The new director has a lot to learn and already has so much on her plate. Mayor signed a letter on Prop A and would not approve transferability. Taxi medallions will be cash cow for MUNI.

7. **<u>Taxi Commission v. Tu Lam</u>, Permit # 896 for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3,4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140a, MPC § 1147.7 and MPC § 1148.6b [ACTION] – Continued to January 27, 2009 meeting.**

8. **<u>Taxi Commission v. Ikarouien,</u> Permit # Re-Hear Case for Violations of Rules 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 and Uphold Summary Suspension Pending Re- Hearing [ACTON] - Findings to be presented at January 27, 2009 meeting.**

- **Sgt Reynolds:** Overview of the facts of the case.
- **Com Paek:** Is there a medical report? It is important evidence to have.
- **Director Thigpen:** Yes there is, it is a confidential document not included in this report. This hearing is to produce factual evidence. Commission to vote on findings at next meeting, but defendant will not produce evidence.
- **Com Benjamin:** Motion to continue suspension until 1.27.09 Taxi Commission meeting for adoption of findings.
- **Com Paek:** Second motion.
- **Com Oneto:** Would like transcript of the 911 tapes to be a part of the record.
- **Director Thigpen:** The entire hearing is part of the permanent record. If anyone requests it, we can make a copy available.

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Public Comment:

- **Tariq Mehmood:** There are questions in this case. She could of walked away from the situation but didn't.
- **Emil Lawrence:** He violated the rules by driving around the block and adding a fee and then fleeing the scene. Drivers can be revoked in San Francisco but operate taxis in other jurisdictions.
- **Sgt Reynolds:** Part of being a taxi driver is dealing with people and sometimes people who are drunk. While she was down on the ground, the driver took her phone, which is robbery.

9. **Adjournment**

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From Peter Witt
To be entered into the minutes of the TXC hearimg of Jan 13th 2009

Thought this was to be a seem-less Transition without controversy!!!

And I thought there was to be NO BROKERING Medallions by City Hall !!!

ONCE again….. broken promises, just like the Hearth plan!!!
Now I'd like to remind this commission about it's mandate, to conduct it's
annual P.C.& N. Hearing.

You did two P.C.& N. hearings in 2007 and added 119 cabs.
Your supposed to have a least one A year ……with ….A continuing force, in-between.

Don't you want to know, if the 119 cabs has increased service?

And ….. BYE what authority, does Miss Thigpen have,.. to replace your mandated …
"Annual report to the Board," with an Auto-biography that will undoubtedly ….fail to reveal ……YOUR FA-TAL FLAWS….THAT HAVE LEAD…. TO YOUR ….DEMIZE.

YOU know ….IF YOU LOOK…….. LIKE A LAME-DUCK
Walk and talk ……like a lame-duck

YOU'RE must be …….A LAME-DUCK!

- For Free

- Hard ~~assumption~~ /

That's not what the controller predicted

- You have grossly ~~equipped~~ maintaining Drivers Living wage.

- And now the City wants to suck what little blood is left that keeps drivers - alive.

~~[illegible]~~

- Free medallions was what it was before Mayor Daley.

- that was Taxi Reform ~~not~~ this puppet show! R.R.

- I haven't read the article.

But it ~~[illegible]~~ couldn't be Good

For ~~Taxi Drivers~~ Newsom. Had anything to do with it

San Francisco Taxicab Commission

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January 27, 2009 **Special Start Time 5:00PM

TAXICAB COMMISSION AGENDA

January 27, 2009 at 5:00 p.m.
City Hall,1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Consideration of DRAFT SFMTA Motor Vehicle For Hire Regulations [INFORMATION AND DISCUSSION]
3. Healthy San Francisco: A Presentation from the San Francisco Department of Public Health [INFORMATION AND DISCUSSION]
4. Taxi Driver Health Care: an Updated Report on the Taxi Commission's Health Care Subcommittee's Report [INFORMATION AND POSSIBLE ACTION]
5. Consent Calendar [ACTION]
6. Staff Report and Commissioner Announcements [INFORMATION]

   SPECIAL ORDER 8:00 – 8:30 PM
7. Public Comment (Please limit public comment to items NOT on the agenda)
8. Taxi Commission v. Tu Lam, Revocation of P-16 Permit # 896 and P-44 Permit # 48151for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3,4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140a, MPC § 1147.7 and MPC § 1148.6b [ACTION]
9. Taxi Commission v. Ikarouien, Revocation of P-44 Permit # 08868 for Violating Taxicab Rules and Regulations 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243 (d), and 591.5 [ACTION] ***Commission conducted factual hearing at January 13, 2009 meeting and will now consider administrative penalties
10. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the January 13, 2008 Taxicab Commission Meeting.

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Background Check:**
1. Ghaffar Khan	DeSoto Cab	Alternative Fuel	Pending Clearance
2. Kam Y. Wong	SF Taxi Cab	Alternative Fuel	Cleared
3. Robert L. Brooks	DeSoto Cab	Alternative Fuel	Pending Clearance
4. Abison Chirackal	Arrow Cab	Alternative Fuel	Cleared
5. H. Jim Trinidad	Bay Cab	Alternative Fuel	Cleared
6. Steven Y. Lee	Big Dog City Cab	Alternative Fuel	Cleared
7. Kenneth W. Liang	DeSoto Cab	Alternative Fuel	Cleared
8. Mahmood B. Rudsari	Town Taxi	Alternative Fuel	Cleared
9. Sanh P. Nguyen	Yellow Cab Co-Op	Alternative Fuel	Pending Cleared
10. James N. Sukovitzen	Luxor Cab	Alternative Fuel	Cleared
11. Grayson S. Bourne	Luxor Cab	Alternative Fuel	Cleared

C. Taxi Commission to consider grant a new color scheme permit to:

Applicant Name:	**Medallion Number:**	**New Color Scheme:**
1. Tam Dinh Nguyen	1311	Vina Cab

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**

1. George Lancia	846	Green Cab to Metro Cab
2. Nollie Griffin	1325	Big Dog Taxi to Metro Cab

E. Consideration of the Taxi Commission to consider applicant(s) ineligible for a **Ramp** Medallion for Municipal Police Code Section 1080(c)(2) for failure to respond, meet the necessary driving requirements and submit an application:

Applicant Name	List#	Reason:
1. Saher Sweis	7-058	No longer interested in a Ramp medallion permit
2. Salvador Del Real	6-905	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
3. Walid J. Eid	6-955	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
4. Anthony E. Fernandez	6-975	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
5. David M. Fernandez	7-024	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
6. Majid H. Shaikh	6-912	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
7. Saqib Zaheer	6-945	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
8. Howard R. Meehan	6-950	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
9. Joshua A. Miller	6-963	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
10. Rami A. Sulaiman	6-999	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
11. Willie De Luca	7-039	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application
12. Sohail Sweis	7-057	Time Waiver expired; MPC 1080(c)(2), Failure to respond, meet the driving requirement and submit an application

F. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond, meet the driving requirement and submit an application:

Applicant Name	List #	Reason

1. Gary K. Robb	6-631	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
2. Steven E. Cloer	6-634	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
3. Raphael Wolfson	6-635	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
4. Michael J. Hutton	6-637	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
5. Valeriy Galatenko	6-640	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
6. Thomas M. Drewry	6-642	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
7. Linda P. Wong	6-617	MPC §1080(c)(2): Failure to meet the driving requirements and submit an applications.
8. James E. Holmes	6-647	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
9. Ferdinand Relosimon	6-649	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
10. Donato J. Relosimon	6-650	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
11. Jovito J. Relosimon	6-651	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
12. Jimmy Yiu	6-660	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
13. Gerald Cassidy	6-661	MPC §1080(c)(2): Failure to respond, meet the driving requirements and submit an applications.
14. Rupinder K. Johal	6-639	MPC §1080(c)(2): Failure to meet the driving requirements and submit an applications.

G. Consideration of the Taxi Commission for Revocation the following Taxicab Medallion Holder Permits for Non-Payment of the Annual Permit Renewal Fee:

Permit Holder Name:	**Medallion / Permit Number:**	**Color Scheme:**	**Amount Due:**
1. Radwan Rashid	1355	DeSoto Cab	PAID

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 10, 2009 hearing.

A. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**

1. Bon Nom Huey	1175	Regents to Fog City
2. Dougles Wong	180	DeSoto to Luxor

B. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Background Check:**
1. Bayramali Sen	Metro Cab	Alt. Fuel	Cleared
2. Jian X. Zhou	Bay Cab	Alt. Fuel	Pending Clearance
3. Sukhdev S. Attal	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
4. Yury Smilovitsky	United Cab	Alt. Fuel	Pending Clearance
5. Orlando P. David	Luxor Cab	Alt. Fuel	Cleared
6. Aleksandr Malinsky	Town Taxi	Alt. Fuel	Pending Clearance
7. Mohsen Hassan	Royal Taxi	Alt. Fuel	Cleared

Commission Request to Calendar

Requestor	**Date of Request**	**Date of Hearing**
Vice President Breslin		
Update on Charter Reform Working Group	July 22, 2008	
Commissioner Paek		
Centralized Dispatch	March 25, 2008	
Commissioner Oneto		
Review & discussion of qualifications for a medallion. Specifically the test administered to prospective medallion holders.	November 22, 2006	
Discussion & possible action to establish standard administrative penalties for companies that verify false waybills.	December 12, 2006	
Discussion on legality of long term leasing	March 25, 2008	
Commissioner Benjamin		
Certificate program	July 22, 2008	

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Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Members of the public who wish to listen to, and/or participate in this meeting but are unable to physically attend, may call the Taxi Commission Bridge Line at (415) 554-9632. Call after 6:30 pm and a staff person will handle requests to speak at the appropriate times on the agenda.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact the Taxi Commission at (415) 503-2180, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90, for more information go to www.sfmta.com. For information about MUNI accessible services, call 311.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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A meeting is a public forum and broad reign must be given to a speaker's right to self-expression. A member of the public has the right to criticize the policy body's programs, practices, policies and services, as well as its members and staff. The presiding officer nonetheless may reasonably confine a speaker's comments to the agenda item being addressed or, for general public comment, to the subject matter jurisdiction of the policy body.

A policy body has the power to adopt reasonable rules and regulations relating to public comment. Govt. Code Section 54954.3(b); Admin.Code Section 67.15(c). The Sunshine Ordinance requires all policy bodies to allow each member of the public to speak once on each calendar item for up to three minutes. Admin. Code Section 67.15. The policy body may limit public comment on an agenda item to less than three minutes per speaker, based on such factors as the nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

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TAXICAB COMMISSION MINUTES

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January 27, 2009 at 5:00 p.m.

City Hall,1 Dr. Carlton B. Goodlett Place

Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. Call to Order/Roll Call

2. Consideration of DRAFT SFMTA Motor Vehicle For Hire Regulations [INFORMATION AND DISCUSSION]

- **Chris Hayashi:** Overview of new draft regulations.
- **President Gillespie:** When will the SFMTA hear the new draft rules?
- **Ms. Hayashi:** On February 3, 2009 and then a 90 day window before the rules go into effect. Would like to hold community meetings to go over the rules.
- **Com Breslin:** Will be holding a Rules wrap up meeting on Friday and would like for you to attend.
- **Com Oneto:** Definitions not very clear. Hope they will be for drivers.
- **Ms Hayashi:** Would like staff to work closer on outreach.

Public Comment:

- **Robert Cezzano:** Don't understand relationship between color scheme, A card and medallion. Will they pro-rate the A card fee?
- **Peter Witt:** Drivers' won't have rights. Hasn't received anything from the company.

- **Blake Derby:** Would like a hard copy. There are some issues with the rules.

- **Tariq Mehmood:** Would like to see a seamless transition.

- **Mark Gruberg:** There has been a lot of work put into this and it is a working document. There has been tremendous outreach and hope it continues.

- **Ms Hayashi:** Responding to questions: Color scheme would notify MTA if there's a cancellation of a lease. Publishing rules will be in a small concise book. Urgent priority to put together an advisory group.

3. Healthy San Francisco: A Presentation from the San Francisco Department of Public Health [INFORMATION AND DISCUSSION]

- **Adrian Nunez, Healthy San Francisco :** Overview of program through a power point presentation.

- **Barry Schenbaum, Employer Relations:** Overview of employer program.

Public Comment:

- **Frank Fahy:** Preventive health plan would be helpful in the plan.

- **Robert Cezzano:** There was a plan but committee didn't want to approve it. And Board of Supervisors rejected increase in meters.

- **Mark Gruberg:** Plan is good but has limitations especially for drivers living outside the city.

- **Mike Spain:** Would have preferred having this presentation available last year.

- **Tariq Mehmood:** Distribute an easy 2 page brochure to drivers for them to know their options.

- **Ruah Raffis:** The entire amount drivers bring in is not full amount of salary since gas and gate are an expense.

- **Peter Witt:** Use driver fund to pay for insurance.

4. Taxi Driver Health Care: an Updated Report on the Taxi Commission's Health Care Subcommittee's Report [INFORMATION AND POSSIBLE ACTION]

- **Director Thigpen:** Overview of the item.

- **President Gillespie:** Important issue for many of us who wrote this and to show the taxi industry is still interested in this plan.

- **Com Oneto:** When this plan was finalized Healthy San Francisco was not in place which is why this plan was introduced.

- **Com Paek:** Unfortunate supervisors did not consider this plan. Appreciates work of the committee.

- **Com Tom:** Com Oneto to hand on himself. Probably not minimum number of hours.

Public Comment:

- **Mark Gruberg:** City is responsible for drivers and should provide insurance to drivers.

- **Mr. Blakely:** Whatever health plan the city provides to city workers, should be the same provided to the drivers.

- **Robert Cezzano:** Thanks everyone who worked on this. City should have been consulted before the committee convened.

- **Mary Mcguire:** Dublin insurance was the vendor but where did they come from? Why wasn't there a bid on the plan? As a medallion holder I would have to pay drivers' shares.

5. Consent Calendar [ACTION]

- **Director Thigpen:** Overview of items and sever items B8, B9, B11, C and F13. Continue items B6- Steven Lee and B10- James Sukovitzen for further investigation.

- **Com Oneto:** Motion to approve A- minutes, grant medallion to B1 Ghaffar Khan, B2- Kam Wong, B3- Robert Brooks, B4- Abison Chirackal, B 5- H. Jim Trinidad, B 7- Kenneth Liang, approve color scheme change to D1- George Lancia, D2- Nollie Griffin, remove ramp applicants all item E and F1-12 and F14. No need to vote on item G 1- Radwan Rashid.

- **Com Paek:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No: 0**

Absent: 0 **Recuse: 0**

- **Charles Rathbone:** Bill Grayson Bourne long time drivers and provided excellent service.

- **Jim Gillespie:** Mr. Khan and Robert Brooks good drivers congratulations

· **Carl Macmurdo:** Congratulations and Medallion Holder Association is open for new enrollment.

· **Com Oneto:** Motion to grant medallion to B9- Sanh P. Nguyen

· **Com Paek:** Second motion

Ayes: Benjamin, Breslin, Oneto, Paek, Suval, Tom **No: 0**

Absent: 0 **Recuse: Gillespie**

· **Com Oneto:** Motion to grant a medallion to B 11- Grayson Bourne

· **Com Paek:** Second motion

Ayes: Breslin, Gillespie, Oneto, Paek, Suval, Tom **No: 0**

Absent: 0 **Recuse: Benjamin**

· **President Gillespie:** Item B 8- Mahmood Rudsari it is important for all drivers to hold valid A-card at all times while operating as a taxi driver.

· **Com Oneto:** Working 7 days a week and 10 hours a day is against the CA state law.

· **Mr. Rudsari:** Long-term lease must drive at all times.

· **Com Oneto:** Motion to grant medallion

· **Com Paek:** Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No: 0**

Absent: 0 **Recuse: 0**

· **President Gillespie:** There are no rules preventing a new color scheme.

· **Com Paek:** Supports small business. Motion to approve new color scheme C 1- Tam Dinh Nguyen.

· **Com Breslin:** Second motion.

Ayes: Breslin, Gillespie, Oneto, Paek, Suval, Tom **No: Benjamin**

Absent: 0 **Recuse: 0**

Com Paek: Motion to not remove applicant F 13- Gerald Cassidy from the medallion waiting list.

Com Breslin: Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom **No: 0**

Absent: 0 **Recuse: 0**

6. Staff Report and Commissioner Announcements [INFORMATION]

- **Executive Director Jordanna Thigpen**: Update
- **Sgt Reynolds**: Update

Public Comment:

- **Jane Bolig:** One of the founders of DeSoto, Mike McCalus passed away.
- **Ruah Graffis:** If a taxi is being operated in SF and it is not its jurisdiction, there should be some notation in the taxi.
- **Charles Rathbone:** If a company wants to pick up passengers in San Francisco, it should be required to pay fees.
- **Marty Smith:** His name is on the Delta Cab color scheme.
- **Robert Cezano:** Paratransit program is a failure for not allowing drivers to bid for contracts.
- **Mohamed Booya:** Out of town cabs are a problem affecting this industry.

SPECIAL ORDER 8:00 – 8:30 PM

7. Public Comment (Please limit public comment to items NOT on the agenda)

- **Robert Cezano:** Opposed to auctioning medallions.
- **Mary Mcquire:** Doesn't like proposed rules. Three plans were discussed but only one is brought forward to be discussed.

· **Mike Spain:** Charter has met in 4 months. And now there is only one plan to be proposed, not fair.

· **Charles Rathbone:** Wonders if this is being put forward in good faith and hopes it will be properly presented.

· **Jane Bolig:** Concerned of lack of consistence and clarity. Is commission going to be a cash cow for MUNI?

· **Tariq Mehmood:** UTW will cost drivers money because of lawsuit costs.

· **Mark Gruberg:** One of the benefits is to not hear UTW being slammed. Doesn't see any good coming out of the Charter Reform Working Group.

8. Taxi Commission v. Tu Lam, Revocation of P-16 Permit # 896 and P-44 Permit # 48151for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3,4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140a, MPC § 1147.7 and MPC § 1148.6b [ACTION]

· **President Gillespie:** Continue this item to February 10, 2009.

9. Taxi Commission v. Hakim Ikarouien, Revocation of P-44 Permit # 08868 for Violating Taxicab Rules and Regulations 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 [ACTION]

· **Director Thigpen:** Overview of the case.

· **Thomas J Wallace, Attorney for Hakim Ikarouien:** Overview of client's background and history.

· **Sgt Reynolds:** There were no witnesses to the case, only someone who waited with the victim after the incident occurred.

· **City Attorney, Tom Owen:** Commission does not necessarily have to use the specific codes to describe what they are trying to say, they can use words they feel best describe what occurred.

· **Com Tom:** Motion to continue A card suspension for 3 more months, and then probation for 2 years after probation. To not include Finding 3 in resolution.

· **Com Suval:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Paek, Suval, Tom **No: Oneto**

Absent: 0 **Recuse: 0**

10. Adjournment

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San Francisco Taxicab Commission

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February 10, 2009

TAXICAB COMMISSION AGENDA

February 10, 2009 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Call to Order/Roll Call
2. Resolution to Recommend Allocation of the Driver Benefit Fund [INFORMATION and DISCUSSION]
3. Staff Report and Commissioner Announcements [INFORMATION]
4. Consent Calendar [ACTION]
5. Clean Air Taxi Program: Second Quarter Report [INFORMATION AND DISCUSSION]
6. Taxi Commission v. Tu Lam, Revocation of P-16 Permit # 896 and P-44 Permit # 48151for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3, 4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140(a), MPC § 1147.7 and MPC § 1148.6(b) [ACTION]

SPECIAL ORDER 8:00-8:30 PM

7. Public Comment (Please limit public comment to items NOT on the agenda)
8. Resolution to Recommend Draft SFMTA Rules on Medallion Leasing [ACTION]
9. Adjournment

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CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

A. Consideration of the Minutes from the January 27, 2008 Taxicab Commission Meeting.

B. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Dev Narewatt, List # 6-568 [ACTION]

- Consideration to deny applicant P16 permit for failing to meet the full-time driving requirement for years 2006, 2007 and 2008 and, fabrication of many waybills.

C. Consideration of Hearing Officer's Recommendation in Taxi Commission v. Kalesilassie Gebresilassie,
List # 6-602 [ACTION]

- Consideration to deny applicant P16 permit for not establishing, by preponderance of evidence, that he was a full-time driver in 2005 and 2006.

D. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Bon Nom Huey	1175	Regents to Fog City
2. Dougles Wong	180	DeSoto to Luxor
3. Antone Nguyen*	396	Delta to Vina Cab
4. Farouk Khodor*	839	Delta to Vina Cab
5. Lam Nuong*	929	Delta to Vina Cab
6. Dennis Wong	751	Delta to Vina Cab
7. Michael Chang*	982	Delta to Vina Cab
8. Ray Yaghmour*	547	Delta to Bay
9. John Vo*	275	Delta to Bay
10. Donald Holvoet*	299	Delta to Bay
11. Wing Tse*	1128	Delta to Bay
12. Richard Lee*	1017	Delta to Bay
13. Amin Jamally*	1235	Delta to Bay
14. Kin Ching*	1009	Delta to Bay
15. Daryoush Amirehsani*	378	Delta to Bay

*** Commission would be required to waive Notice rule**

E. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Background Check:**
1. Bayramali Sen	Metro Cab	Alt. Fuel	Cleared
2. Jian X. Zhou	Bay Cab	Alt. Fuel	Pending Clearance
3. Sukhdev S. Attal	Yellow Cab Co-Op	Alt. Fuel	Pending Clearance
4. Yury Smilovitsky	United Cab	Alt. Fuel	Pending Clearance
5. Orlando P. David	Luxor Cab	Alt. Fuel	Cleared
6. Aleksandr Malinsky	Town Taxi	Alt. Fuel	Pending Clearance
7. Mohsen Hassan	Royal Taxi	Alt. Fuel	Cleared

NOTICE

This is not an agenda item for this meeting, but serves as a public notice. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 24, 2009 hearing.

A. Consideration of the Taxi Commission to grant a Taxicab or Ramp Taxicab Medallion Holder Permit to:

Applicant:	**Color Scheme:**	**Medallion Type:**	**Background Check:**
1. Richard B. Beal	Luxor Cab	Ramp	Cleared
2. Prabhjot Kaur	United Cab	Alt. Fuel	Cleared
3. Varinder Singh	Town Taxi	Alt. Fuel	Cleared
4. Raed Sweis	DeSoto Cab	Alt. Fuel	Cleared

B. Consideration of the Taxi Commission to grant a Color Scheme Change to:

Medallion Holder Name:	**Medallion #:**	**Change:**
1. Eric Grattan Schaefer	395	Delta to Luxor

C. Consideration of the Taxi Commission to **remove** the following applicant name(s) from the Taxicab/Ramp Taxi waiting list in accordance with Municipal Police Code Section 1080(c)(2) for failure to respond, meet the driving requirement and submit an application:

Applicant Name	**List #**	**Reason**

1. Bhagwant S. Dhillon	6-665	MPC §1080(c)(2): Failure to respond, meet the dri requirements and submit an applications.
2. Veronica Greene	6-670	MPC §1080(c)(2): Failure to respond, meet the dri requirements and submit an applications.
3. Debi J. Vaughan	6-671	MPC §1080(c)(2): Failure to respond, meet the dri requirements and submit an applications.
4. Marina Zhalkovsky	6-673	MPC §1080(c)(2): Failure to respond, meet the dri requirements and submit an applications.
5. Brian Loi	6-675	MPC §1080(c)(2): Failure to respond, meet the dri requirements and submit an applications.

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TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

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PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7
SUSAN SUVAL, COMMISSIONER, ext 5
ARTHUR TOM,COMMISSIONER, ext 4

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION MINUTES

February 10, 2009 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDENCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. **Call to Order/Roll Call** - Absent Min Paek
2. **Resolution to Recommend Allocation of the Driver Benefit Fund [INFORMATION and DISCUSSION]**

- **Mark Kelleher, Senior Director of Development at SF State**: Overview of why Taxi Commission should create scholarship fund.

- **Director Thigpen:** Will taxes reduce the amount of the fund?
- **Mark Kelleher:** No tax from a non-profit to another non-profit.
- **Com Breslin**: Is there any requirements for residency?
- **Mark Kelleher:** None.
- **Com Breslin:** In favor of a scholarship program but it would be favorable to have it for other schools.
- **Pres Gillespie**: The resolution would also create a benefit to cover a portion of funeral costs for any driver killed on the job.

Public Comment:
- **Jane Bolig**: How would the funeral fund be managed? Scholarship is a great idea.
- **Robert Cesana**: Great misgivings on the proposal and believes SFMTA will get confused on who this money will go to. Should give all the money to a scholarship fund.
- **Mark Kelleher:** State law does not allow differentiating between male and/or female.
- **Tariq Mehmood**: The more important question is how much college tuition currently costs?
- **Mark Kelleher**: Estimated costs for next year are $5,000 and fund would be perpetual.
- **Name**: What if a driver gets hurt on the job but cannot drive again?
- **Pres Gillespie**: Limited amount of money and would not be able to cover that type of accident.
- **Com Breslin**: In the change section change language to scholarship to qualified deserving applicant. Under first resolved, add future funds to be divided equally in the future.
- **Pres Gillespie**: City attorney recommended that we not suggest language on future funds. Will discuss language with the Executive Director and will present it at the next meeting.

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3. **Staff Report Commissioner Announcements**

- **Dir Thigpen:** Overview of staff report.
- **Sgt Reynolds:** Overview of report.

Public Comment:
- **Charles Rathbone:** Prepared chart of dispatch reports.
- **Tariq Mehmood:** Last 2 meetings Commissioners have not done anything.

4. **Consent Calendar [ACTION]**

- **Director Thigpen:** Sever items B and C, items in D3-15 waiver of notice is required, D2, E3 and E5 for recusals.

Public Comment:
- **Charles Rathbone:** Welcome to B2-Douglas Wong and congratulations to E5-Orlando David
- **Richard Hybels:** Congratulations to E1-Bayramali Sen and E3- Sukhdev Attal
- **Marty Smith:** Welcomes E5-Orlando David to Luxor. Would like a refund for color scheme change from Delta to Luxor since it was waived for the other applicants.
- **Com Breslin:** Motion to waive notice for D3- D15
- **Com Oneto:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: 0**

- **Com Breslin:** Approve item A- Minutes, grant color scheme change to D1- Bon Huey, D3- Antone Nguyen, D4- Farouk Khodor, D5- Lam Nuong, D6- Dennis Wong, D7- Michael Chang, D8- Ray Yaghmour, D9- John Vo, D10- Donald Holvoet, D11—Wing Tse, D12- Richard lee, D13- Amin Jamally, D14- Kin Ching, D15- Daryoush Amirehsani, grant medallions E1-Bayramali Sen, E2- Jian Zhou, E4- Yury Smilovitsky, E5- Orlando David, E6- Aleksandr Malinsky, E7- Mohsen Hassan
- **Com Oneto:** Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: 0**

- **Com Oneto:** Approve color scheme change to D2-Douglas Wong and grant medallion to E5- Orlando David.
- **Com Suval:** Second motion

Ayes: Breslin, Gillespie, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: Benjamin**

- **Com Oneto:** Motion to grant a medallion to E3- Sukhdev Attal
- **Com Tom:** Second motion.

Ayes: Benjamin, Breslin, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: Gillespie**

- **Director Thigpen:** Overview of Item B- Taxi Commission v Dev Narewatt
- **Com Benjamin:** Were there any waybills during the time he was working at his shop?
- **Director Thigpen:** Doesn't remember what the hearing officer reviewed.
- **Attorney for Dev Narewatt:** The hearing officer did not review 3 years of waybills. You would have to assume GTU records are correct at all times. The decision refers to GTU declaration that seems like there was a transponder issue. March –September 2006 gap discrepancy is an issue.
- **Dev Narewatt:** Has receipts for waybill payments. Ten year taxi driver and purchased a new vehicle every 3 years. What am I being punished for? This is not fair. I work 7 days a week but no one wants to listen.

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- **Name:** Very popular driver and see him all the time at the airport. Has a shop but has a manger who runs the shop.
- **Name:** Has seen him for years at the airport. He is a hard working man.
- **Thomas George Williams:** I was surprised to see Dev Narewatt on here. Smart card is confusing, waybills get lost and transponders don't work well. Airport records are not reliable.
- **Name:** Knows this driver and he deserves a medallion.
- **Robert Cesana:** Doesn't know this driver, but smart card is enormous issue. Smart cards do not have names on it.
- **Name:** Knows this driver and always works on weekends and sees him at the airport, also uses his shop.
- **Name:** Professional engineer has known Dev for 4 years and wishes others had his honesty and work ethics. He works at nights and he has a mechanic shop.
- **Paul Grezan:** Taxi driver and knows Dev is a legitimate driver.
- **Mike Dejami:** Transponder is not working. Records from the cashier would be helpful to compare to his waybills. Smart cards option for 2-3 months allowed you to not use other exiting means.
- **Ahmed:** Has known Dev for at least 10 years. Smart card is an issue. Drivers each have their own cards.
- **Vic Ridley:** Smart card is fallible and has seen Dev driving.
- **Sayad Azad:** Driving for over 19 years. Has seen him at the airport and in the City.
- **Camile Barkookie:** Dev is a hard worker and he is not lying.
- **Tone Lee:** Good driver. Told him to be aware of his place on this list and to begin driving again.
- **Ashwan Aeir:** Known Dev for over 20 years and as a driver for 10 years. Does have a shop but only works there during the days,
- **Gratch:** There may be some airport discrepancy. He is a good driver and commission should contact company to get records.
- **Tariq Mehmood:** Shuttles that go to the airport use a transponder and would have been upset if they were improperly or incorrectly being charged by SFO for wrong transponder readings. Believes there are no issues with the transponders.
- **Pres Gillespie:** Notices National Cab is not here to back him up. This case is worthy of being reheard. But it wouldn't be by our Commission.
- **Com Benjamin:** Hearing officer never reviewed 2005 waybills. Are transponders checked for accuracy? Specifically this transponder and other transponders? Motion to rehear this case with a letter sent to GTU for review of transponder and evidence.
- **Director Thigpen:** Cannot say why she didn't. SFO would have to answer these questions.
- **Com Breslin:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: 0**

- **Director Thigpen:** Overview of consent item C- Taxi Commission v Kalesilassie Gebresilassie
- **Com Benjamin:** We have had previous problems with American Cab and production of waybills. Motion to continue the case
- **Kalesilassie Gebresilassie:** Would be happy for a rehearing.

Public Comment:

- Name: Thinks he has a very powerful argument including tax records and given problems at American Cab and a plausible case against them, should have an opportunity to present this again.
- **Com Oneto:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: 0**

5. Clean Air Taxi Program: Second Quarter Report [INFORMATION AND DISCUSSION]

- **Director Thigpen:** Overview of numbers and there's a 10% quarterly increase of clean vehicles. Commitment is great from industry.
- **Pres Gillespie:** Commend mid-year commitment from companies. Two largest companies already under the goal, as are several other companies, great news. Companies not in compliance cannot bring in any more gas vehicles. Every company must meet 1/3 reduction every year until 2011. Will present a resolution at next

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meeting reviewing goals.

Public Comment:

- **Mark Gruberg:** Believes the commission's numbers for Green Cab are incorrect.

- **Director Thigpen:** If the Commission has made an error it will make the change.

6. **Taxi Commission v. Tu Lam, Revocation of P-16 Permit # 896 and P-44 Permit # 48151for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3, 4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140(a), MPC § 1147.7 and MPC § 1148.6(b) [ACTION]**

- **Director Thigpen:** Overview of the case
- **Jessie Ralph, Attorney for Tu Lam:** Reviews facts of case.
- **Director Thigpen:** Rebuttal
- **Jessie Ralph, Attorney for Tu Lam:** Rebuttal

Public Comment: None

- **Pres Gillespie:** Commission needs to deliberate the issue. Union Cab was a company that allowed medallion holders to operate their medallion without requiring medallion holders to drive. Lack of evidence that Mr. Lam was a real driver. Town Taxi admits there were no waybills. Although he has driven in 2008, there is no evidence he drove in the previous years.
- **Com Breslin:** Strong supporter of revocation but should both the A card and medallion be revoked?
- **Pres Gillespie:** Serious offense and should revoke both A card and medallion.
- **Com Benjamin:** Only 2 days on the waybills missing 2 lines on each waybill. It's hard to believe that you were able to have that many pick ups while operating your vehicle. Brings question to mind since other waybills are not so completely filled out.
- **Com Tom:** Taxi industry is not the last resort and not finding another job is not compelling.
- **Com Breslin:** Missing payments are small but this was his second chance and he should have stuck to his plan. Ownership of the medallion is subject and not because of the driving requirement, I am hesitant to revoke the A card but not the medallion.
- **Pres Gillespie:** Doesn't want to take away his means of making money but believes he has forfeited his right to hold a medallion.
- **Com Oneto:** Issue here is that he has not shown any responsibility to hold an A card or medallion. He collected profit for years from Mr. Me. This is years of fraud.
- **Com Benjamin:** Agree and not convinced any of his waybills are real. Signature different on each waybill. Is he on any Town Taxi rosters?
- **Director Thigpen:** Did not spend resources to review the waybills, but Town Taxi did not have him scheduled on the roster.
- **Com Oneto:** Motion to revoke medallion and A card
- **Com Benjamin:** Second motion.
- **Com Breslin:** Doesn't present a safety hazard and can drive in other jurisdictions and can reapply in San Francisco next year.
- **Com Tom:** Would the Commission cash the checks?
- **Director Thigpen:** It is up to you.
- **Com Oneto:** The settlement agreement is void if we revoke his A card and medallion. Commission to return recent check.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Suval, Tom **No: 0**
Absent: Paek **Recuse: 0**

SPECIAL ORDER 8:00-8:30 PM

7. **Public Comment (Please limit public comment to items NOT on the agenda)**

- **Charles Rathbone:** Presented a copy of Luxor proposal for medallion auctions.

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- **Richard Hybels**: Spoke with Malcolm Heinicke and he will consider modifying his proposal. Is up hauled to have to buy back his medallion.
- **Zamja Douwe**: This is like a liquor license. The City wouldn't take away a businesses license and shouldn't do it with medallions unless someone is violating the rules
- **Mustaffa**: Driver for 21 years, feeding 7 members of his family. Should have a mutually beneficial program.
- **Robert Cesana**: The end of this Commission will be taken over to the MTA. Thanks Jordanna for ADA letter. Drivers should apply early.
- **Name:** Received a medallion and it's precious to him. Worked hard for this and auctioning off would be a death warrant for him.
- **Mike Spain:** Charter Reform meeting proposals said that the Taxi Commission was supposed to review proposal.
- **Glen Mack:** Cost of living has gone up but not meters. Buying power is less and can't raise a family on this income.
- **Jane Bolig**: No transfer proposal will work unless all interested parties are considered.
- **Zuhair:** Seems like this is being planned very well. Merger with SFMTA and auctioning selling these medallions.
- **Steven Lee:** Was on the previous calendar and wants to know what the delay is.
- **Tone Lee:** Game is over and party is over as well. When 2005 rule changed reminded that he should continue driving. It is not fair that he won't be able to get a medallion because he is a MUNI driver.
- **Name:** Has known Steven Lee for many years and he is a good driver.
- **Rahimi:** Driver since 1982 and for waybill violations has been removed from the industry.
- **Calvin Wong:** Here to support Steven Lee. There was no rule that if he worked for MUNI he cannot get a medallion. It is not fair. Should be reconsidered.
- **Chris Franko:** Known Steven Lee and wants to support him to receive a medallion.
- **Name:** Hard to believe that medallions will be auctioned off. No union, or medical benefits. Consideration should be put to the voters.
- **Name**: Hopes Steven Lee will get his medallion.
- **Name:** Steve Lee has been a driver for years and should be condisered for a medallion.
- **Steven Web:** Know very few drivers that can come up with money to buy a medallion.
- **Name**: Got his medallion last year after waiting 15 years and it's hurtful.
- **Carl Macmurdo**: Malcolm withdrew auction plan. Hopes commission allows ADA applications to come in late.
- **Myriah:** Likes Prop K and would like it to stay. But if drivers can buy medallions would do so if names on the list are offered a medallion.
- **Bill Mounsey:** Name on the list and will suffer if medallion list won't be used.
- **Thomas George Williams**: Was a member of Charter Reform working group and at last vote, change was considered. Real danger comes from the mayor's office. Wants to sell drivers out to bail out drivers.
- **Name:** Has been on the list since 1994 and was told that it would be a 10 year wait. That's why all these drivers have signed up to receive a medallion. This auction would take away our right.
- **Barry Kornegold**: Recently received his medallion and has concern for drivers on the list.
- **Mary Maguire**: If the proposal is withdrawn it's only in its present form. Do any of the proposals increase or improve taxi service?
- **Peter Witt:** See attached 150 words
- **Tariq Mehmood**: There is sympathy for drivers. Work will go on.
- **Ruah Graffis**: City is in a budget crisis but drivers have union wage, health care and other benefits.
- **Mark Gruberg**: A pandora's box was opened by the Mayor. All money driven on the mayor's part and for those who want to sell it.
- **Robert:** Father was a taxi driver who supported family on income. Business has been less than it's ever been.

8. Resolution to Recommend Draft SFMTA Rules on Medallion Leasing [ACTION]

- **Com Oneto:** Wanted the Commission to change their own rules before the merger so that the leases could be on file. Would like to adopt this resolution and to urge SFMTA to adopt it as well.. This is not changing lease agreements.

25 Van Ness Avenue, Ste. 420, San Francisco, CA 94102 • (415) 503-2180 •Fax (415) 503-2186•Email: sftaxi.commission@sfgov.org •Website: www.sfgov.org/taxicommission

- **Com Breslin**: Can vote on this tonight and vote on the other next week.

Public Comment:

- **Tariq Mehood:** There are drivers who have 2 separate leases with different companies and I'm not talking about brokers.
- **Mark Gruberg:** Is this for a long term lease? They have very different contracts.
- **Com Oneto:** Motion to adopt resolution
- Com Suval: Second motion

Ayes: Breslin, Gillespie, Oneto, Suval, Tom **No: Benjamin**
Absent: Paek **Recuse: 0**

9. **Adjournment**

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To be entered into the Taxicab Commission minutes, of Feb 10th 2009.

From/By , Peter Witt

For the Record; Why has this commission refused my request for information ????

And why didn't this Commission Define "Peak Times" As required by the Board of Appeals , BEFORE....

adding cabs in 1999 ???

Why didn't you support the Task Force **recommendations** ??? **As pre-advised.**

Such as ... # 1.) Increasing dispatch coverage.
 # 2.) Increasing meter rates.
 # 5.) Taking steps to stop illegal limousines.

WHERE ARE **the customer surveys and reports I've submitted for ...P.C.&.N...."NOT" Inclusive..... OR ..... available to the public ??**

Because this commission has been operating illegally from the get go....under a Willie and Gavin agenda, "just add cabs." policy."
Now MTA, WHY ???
Because the City's POOR....poor S.F.

Screw the cab driver's
SCREW .... "the Public"
More service .....my ASS !!!
HOW ABOUT CUSTOMER SERVICE ???
HOW ABOUT A .... -S. F.- LIVING WAGE
For -S.F.- taxi driver
OR ...A SICK DAY OFF, ...WILL MTA CARE?

~~1498~~
1537

Houchen
Ltd